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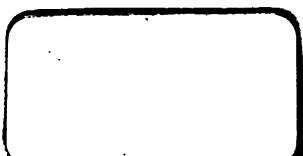
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THE  
HISTORY  
OF  
TITUS. LIVIUS,  
WITH THE  
ENTIRE SUPPLEMENT  
OF  
JOHN FREINSHEIM;  
TRANSLATED INTO ENGLISH, AND ILLUSTRATED WITH  
GEOGRAPHICAL AND CHRONOLOGICAL NOTES.

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IN THREE VOLUMES.

VOL I.

LONDON,

*Printed by W. Green & T. Chaplin, 1, Crane-Court, Fleet-Street,*  
FOR J. DAVIS, 38, MILITARY CHRONICLE OFFICE, ESSEX-STREET, STRAND;  
AND TO BE HAD OF ALL THE BOOKSELLERS.

1814.



TO THE  
**HON. EDWARD VERNON, Esq.**

*VICE-ADMIRAL OF THE RED.*

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SIR,—WHOEVER reads with attention the story written by Livy must clearly perceive, that the Roman state was not only supported under the most pressing calamities, but even raised to the highest pitch of power and dominion, by an emulation amongst its great men not to excel each other in wealth and luxury, but in moderation, valour, and a true love of their country.

As the whole tenour of your conduct, both in public and in private life, has been one continued example of those eminent virtues, an attempt to render them of general benefit to this country cannot be more properly introduced than under your patronage.

We are, with the greatest respect,

SIR,

Your most obliged,

and most obedient

humble servants,

*THE TRANSLATORS.*





## THE PREFACE OF THE TRANSLATORS.

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THE disagreement among historians and chronologers, concerning the year of the foundation of Rome, makes it impossible to ascertain the true æra thereof. Timæus, the Sicilian, places it 38 years before the first olympiad; L. Cincius, in the fourth year of the twelfth olympiad; Polybius, and Diodorus Siculus fix it in the second, and Portius Cato, Dionysius Hal. Solinus, Clem. Alexandrinus, and Eusebius, in the first year of the seventh olympiad. Dionysius Hal. in his second boook mentions an eclipse of the sun, that happened on the day of the death of Romulus, and Plutarch another, which happened the day on which Rome was founded. And from this astronomers have laboured in vain to fix the exact year. Verrius Flaccus places it in the fourth year of the sixth olympiad; but Varro, who has been followed by the majority of Roman writers, says, that Rome was founded near the end of the third year of the sixth olympiad; that is, in the year 3961 of the Julian period, which is commonly reckoned to exceed that of the world by 710 years. Upon which supposition, Rome was built in 3251 of the world.

Notwithstanding the uncertainty of the exact year in which Rome was founded, it is generally agreed, that the Romans began to build on the 21st of April, a day that was consecrated to Pales, goddess of shepherds. And thus her festival and that of the foundation of the city were ever after celebrated on the same day.

As every man chose the ground he fancied best to build on, without any regard to ornament or regularity, the streets were narrow and crooked. The houses, about one thousand in number, were very mean, and had no upper stories. Nay, even the palace of Romulus is said to have been built of rushes, and covered with thatch. Her first inhabitants were either poor shepherds, men of desperate fortune, or turbulent lovers of novelty, who united together within this narrow circuit. Thus the superb capitol of the world was originally but a sorry village; and from the meanest beginnings rose to a dazzling pitch of lustre and greatness.

To account for this astonishing progress, it will be necessary attentively to consider the principles of her policy, by whom

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they were established, enlarged and maintained, by what counsels, public or private, either within or without the city, those great events, related by Livy, and which contributed to form that vast empire, were brought to pass.

Our author puts into the mouth of Camillus a most elegant description of the commodious situation of Rome. "Not without reason," says he, "did both gods and men pitch on this situation of our city. Here are most pleasant and well aired hills, a river convenient for transporting hither corns from the inland country, and furnishing us with merchandize by sea; the sea so near as to serve every good purpose, but at such distance as not to expose us to be attacked by foreign fleets: in short, lying in the very centre of Italy, the only situation capable to promote the increase of a state."

The original form of the Roman government was a mixture of those three, which, they who have treated on this subject have laid down as the best, kingly government, aristocracy and democracy. Their kings had all the splendid ensigns of royalty, but their power confined within narrow limits, assisted by a council composed of a select number of men, eminent for their prudence and justice, while every important matter was decided by a majority of voices in a popular assembly.

The wise institutions, religious, civil, and military, of the invincible Romulus, made infant Rome both admired and feared. And till her unweildy power wrought her ruin, the principles and plan of his policy were never in fact altered, though considerably enlarged, by his successors, both kings and other magistrates, who all, by various methods, followed in his track, and swerved so little from the main point, that the increase and perfection of this mighty empire seems a work beyond human wisdom.

Her fundamental principle of government was, fear of the Gods, and veneration of religion. Though the Romans were mistaken in the object of their worship, yet by the remains of natural religion they were convinced, that the world must be governed by some superior power, which determines every event, and bestows on men every qualification and accomplishment necessary to form and execute vast enterprises: that it was fit, by religious rites, to implore and merit the protection and blessing of that powerful being. To this disposition were owing their temples, altars, sacrifices, and supplications: hence their auguries and auspices, which by their being favourable, or unfavourable, determined the execution or laying aside of the most important schemes, and made so strong an impression upon Roman minds, as to give or

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deprive them of courage; sheath or unsheath their swords at pleasure: and though hardly any human power was a match for a Roman army, yet they never dared to fight with angry gods: hence those frequent vows made on pressing emergencies, the neglecting to perform which was deemed the most heinous sacrilege: hence their strict observance of oaths, which they made more account of than of human laws; as appears manifestly by the example of every Roman army, which took an oath to their general, by that of the great Regulus, Marcus Pomponius the tribune, and of Scipio, who after the defeat at Cannæ obliged many citizens to swear not to abandon their country. And it had the desired effect, when neither laws, nor love of their country, could restrain them. In short, it may be said of Rome, in her virtuous ages, that no government ever out did her in fear and observance of the gods. The desire of drawing down their blessings, and fear of offending them, preserved discipline in their armies, inspired them with courage, reconciled contending orders of the state, conferred honours and offices on virtuous men, and discouraged the lewd and vicious, the sure methods to gain success in any enterprise.

Next we may observe, a strong and lively regard for their native country inwove with every Roman constitution; love of parents, children, fortune, life, friends, and even glory itself, the most dazzling consideration, was but a secondary passion, and in all respects subservient to that of their country. And in fact it was no more than the love of their own work; for every Roman by his suffrage in the election of magistrates and generals, by his advice in senate, and exploits in war, maintained and secured the possession of those very lands and those houses, of which they were so fond.

But we must not forget, as what most effectually contributed to the greatness of their state, that this love extended beyond bare fields, roofs and rafters. They loved their country passionately, but loved it *free*, and would be subject only to laws of their own making, which are superior to, and more powerful than men. It was this that drove out oppressive Tarquin; this stifled the sentiments of nature in Brutus; liberty and the life of the sons of Brutus being as incompatible, as Brutus and tyranny; this banished Coriolanus, cancelled the memory of the largesses of Mælius, precipitated Capitolinus from the Tarpeian rock, and made Appius Claudius strangle himself in a prison. On the other hand, it would be writing the history over again, to enumerate the illustrious characters formed by this spirit of patriotism and attachment to liberty.

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And to complete the Roman character, let us observe, that regard for the gods, love of their country, and liberty, were generally accompanied with a thirst of glory; and to it we may at least attribute the rapid progress of their arms. It produced in them an ambition for universal sovereignty, which after all she owed as much to the humanity she shewed the conquered states, and admitting them to all the privileges of her own. For without this last maxim, her fate had been the same with that of Sparta.

When we see the members of a state actuated by so vigorous and animating principles, nothing remains to make them great and happy, but wise governors and a reasonable policy.

The religion of Rome was at first free from all scandalous fables or licentious rites which composed that of Greece. And as it principally consisted in festivals, to celebrate which the people assembled and feasted in common on the victims, it was an ease and relaxation to that laborious people.

The laws and regulations made in the infancy of Rome were certainly defective in many respects; as they were originally intended to lay the foundation of kingly government, and not of a commonwealth. And when Rome became free there wanted many institutions in favour of liberty, which had not been established by her kings. Nor indeed were they supplied for some time after the expulsion of the kings, who carried into banishment with them only the regal title, but left the regal power with the senate and consuls, who ruled with great moderation while there was any dread of the Tarquins. But as soon as that was removed they grew insolent and oppressive, which roused the people's love of liberty into vigorous efforts to secure it. Hence arose those mutual jealousies and contentions, which reduced the power of the nobility, and gained the people their share in the government. And though one would imagine that the continual dissensions, among the different orders of the state, should have entirely ruined it, yet in fact they had a contrary effect, as they checked the ambitious attempts of the great, kept the sovereign authority in a sort of equilibrium, and formed many illustrious men, who transmitted the spirit of patriotism from generation to generation. So that without regarding the noise and tumults they occasioned, we must fix our attention on the good effects they produced. For a period of three hundred years and upwards, from the expulsion of the Tarquins to the death of the Gracchi, these contests seldom ended either in banishment or bloodshed. Their most common effects were good and wholesome laws, which ensured the public liberty.

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The patricians, obstinately bent upon confining honourable offices and commands to their own order, which they could not do without the voice of the people, were obliged to use their utmost efforts to cultivate the qualities which merited such distinction; and gain the esteem and suffrages of the plebeians by noble achievements, repeated services, and a virtuous course of action. The plebeians on the other hand, in aiming to attain to the highest dignities, were obliged to convince their own order, that they possessed all the merit of their superiors in quality. That they wanted not fortitude, courage, conduct and prudence to discharge the functions of the high offices to which they aspired. That they could command armies, harangue in the senate-house and forum, bring in salutary bills, and negotiate matters of the greatest importance.

Without these dissensions and contests, Rome had been enslaved by Tarquins, or an uncontrolled consular power, and never seen her guardian tribunes of the people, or her bulwark, the law of appeal. To them Rome owed those characters, which made her feared and respected by the greatest monarchs and states: to them she owed that august assembly of counsellors, the sight of which made a wise philosopher and great statesman say, "he had seen an assembly of kings:" to them she owed those invincible armies, which valued themselves solely on conquest. Must we not then allow that disagreement between two orders of a state, which produced so noble an emulation, purchased such salutary laws, and banished the worst of evils, servitude and slavery, to be just and necessary as well as perfective of the Roman greatness.

Colonies remedied her last inconvenience, which was the effect of her conquests, and of a wise maxim established in her infancy of increasing her numbers by admitting the conquered people into the city. For by sending them out she not only eased Rome of multitudes of poor citizens, but garrisoned her frontiers, and by degrees reconciled foreigners to her own manners.

Now we see the Roman government settled in the hands of senate, consuls, and people, it will be necessary to ascertain the particular share each had in it.

After Romulus had divided the first inhabitants of his city into tribes and wards, he formed a senate of one hundred patricians. Of these he chose one, and each of the tribes and each of the wards one. This made up the number required. The same method was observed in incorporating the hundred Sabine senators under the joint administration of Romulus and Tatius.

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Tarquinius Priscus chose one hundred plebeians, whom he first made patricians and then senators.

This was the complement of the senate till the days of Sylla, who added upwards of a hundred more. But from henceforth it would be vain to attempt ascertaining its exact number.

Under the regal government the vacancies in the senate were filled up by the kings. After their expulsion the void seats were filled with the magistrates of the current year, or by the election of the people, when the former were not sufficient. And these senators were chosen promiscuously out of the patrician or plebeian order. Dionysius of Halicarnassus, in his seventh book, determines the time when plebeians were first admitted into the senate, to the two hundred and sixty-third year of Rome.

This body had the absolute disposal of the public money, and the quæstors could make no disbursements without their decree. The senate likewise gave allowance for what the censors every fifth year expended in repairing and erecting public buildings. It also had cognizance of all crimes committed in Italy which regarded the state, as conspiracies, assassinations and treasons. Besides if any city or private person in Italy wanted protection or relief, was guilty of any misdemeanor, or wanted to make up any differences, they were within the province of the senate. It was theirs to form alliances, declare war, reconcile differences, exhort or lay commands on foreign states: to send embassies, to determine the treatment of and return answers to ambassadors.

The consuls, when in the city, had the administration of all public affairs; and all other magistrates, except the tribunes of the people, were subordinate to, and obeyed them. They introduced foreign ambassadors into the senate, proposed those subjects of debate which required dispatch, and executed the decrees of the senate, which they laid before the assembly of the people, and followed the determination of the majority thereon. Their power in every thing relating to the preparations for war, or to the conduct of it in the field, was without control. They gave what orders they pleased to the allies, and appointed the legionary tribunes. They might enlist all fit for service, and punish them when in the field. They might expend what sums they pleased of the public money, and for that purpose were attended by a quæstor, who was obliged to pay a ready obedience to their commands.

The people only had right to distribute honours and punishments, the bulwark of all governments. They imposed fines, even on those who had borne the highest offices, and had the sole

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jurisdiction in capital cases. It was their indisputable right to bestow magistracies, to reject or confirm laws, and determine finally of treaties, conventions, alliances, accommodations, peace and war.

Thus was the government divided at Rome, and so wisely, that though each order seemed to have a distinct share, yet in every instance they had a mutual dependence on each other. The senate was under an indispensable necessity of studying to approve themselves to the people in every public affair, as they had in fact the cognizance of all great crimes, and punishment of treasons, seeing the decrees of the fathers on these heads had no force without the confirmation of the people. Besides the people had the power of receiving or rejecting any bill which might be preferred for taking away any part of their power, infringing their privileges, diminishing their dignities and fortunes. And farther if any plebeian tribune opposed their passing a decree, they had no farther power to consult about it,

The consuls stood in need of the assistance of both senate and people. No supplies could be sent to the army without consent of the senate, which when refused or neglected rendered all the schemes of a general, of purchasing laurels, abortive. The senate likewise had power to disconcert his plans, by sending him a successor at the expiration of the year, and then could obscure the lustre of his victories by refusing him a triumph. Then the people alone had the power of putting an end to the war, of confirming treaties and accommodations, and at the expiration of a general's command could call him to account for his conduct.

The people were likewise subject to the power of the senate, and could not disregard the favour of all the senators in general, and of each in particular. For the censors put out many works throughout all Italy, as repairing and erecting public buildings. And they besides let out many lands; of all which the people were the sole undertakers. Some were purchasers of them, some partners in the purchase, and others sureties for the purchasers. Nay some assigned all their estate and effects to the public, for the performance of these contracts. Now all these were within the province of the senate, which could either give time, or, in case of misfortunes, mitigate the sum, nay even cancel it altogether.

The well tempered policy of the Romans, their prudent counsels, and their inimitable examples of all sorts of virtue, could only be described in the elegant and elevated style of Livy.

According to the best accounts, this illustrious historian was born, about fifty-six years before the birth of Christ, at Padua,

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which is now a considerable town belonging to the republic of Venice, and famed for its university.

Though it is impossible to ascertain the exact time at which he left his native place to go to Rome, yet it is probable he repaired very young to this then centre of wit, eloquence, politeness and learning. He has given the strongest proofs of genius, and in truth lived at a time which afforded not only the noblest patterns, but the strongest encouragements to cultivate his natural endowments. He was old enough to have learned eloquence of Cicero, by whose writings, in case he never had seen him, he might greatly improve his style, and might have been acquainted with that Roman antiquarian Varro, with Catullus, with Virgil, Sallust, Corn. Nepos, and Diodorus Siculus. It is certain he was contemporary with Horace, Ovid, Propertius, and Tibullus, with Seneca the declaimer, Vitruvius, Julius Hyginus, and with that accurate historian Dionysius of Halicarnassus. He enjoyed at the same time a very great share of favour from Augustus, who at length distinguished him from all the eminent men of that age, by making choice of him to be tutor to his grandson Claudius, who was afterwards emperor.

The happy auspices of so great and generous a patron, the example of so many great masters in their different spheres, and the emulation inspired by the lustre of eminent contemporaries, contributed to form our great historian, who, if he did not out-shine, was yet inferior to none of them in industry, eloquence, perspicuity, elegance of style, accuracy, fidelity, and agreeableness.

We may gather from a passage in the nineteenth chapter of his first book, that he had begun to write his history, before the eighteenth year of the reign of Augustus. "The temple of Janus," says he, "has only been twice shut since the time of Numa, once in the consulate of T. Manlius at the end of the first Punic war; and a second time, which the gods granted our age the happiness to see, by the emperor Augustus after the battle of Actium." Every one versed in the Roman story knows that this temple was thrice shut by Augustus. In his fifth consulate, after defeating Mark Antony at Actium. In his tenth, after subduing the Calabrians. And the third time, the same year in which Jesus Christ was born. And had our historian had the happiness to have seen the two last before he wrote this part of his history, he would certainly have mentioned them here.

He wrote a complete history of the Roman people, for the space of seven hundred years and upwards, from the foundation of their city till within a few years of the birth of Christ.



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This work was comprehended, according to Petrarch and others, in one hundred and forty books. These were afterwards, probably by copyists, divided into fourteen decads, or volumes, each containing ten books. All which are lost, except the first, third, fourth, and part of the fifth. However there are still extant epitomes of one hundred and forty books, commonly reputed to have been compiled by Florus.

These epitomes or abridgments might have in some measure contributed to render the original history neglected. For then, it is probable, as in our own time, the generality of readers contented themselves with this cursory view of the Roman affairs, and left the bulky work to perish. But this is only a conjectural reflection, while we are certain, that the malice of Caligula, who did his utmost to efface every monument of our great historian, and the barbarous ignorance and rage of the Goths and Vandals, swept away this and many other valuable works of antiquity.

What of Livy has escaped from the devouring jaws of time, was discovered at different times. The five first books of the fifth decad, were discovered in 1531, by Simon Gryneus, in the monastery of Lorschheim at Worms, and the beginning of the thirty-third book recovered in 1615, by John Horrion, a jesuit, from a manuscript belonging to the church of Bamberg.

The authors from whom Livy extracted his materials were Polybius, M. Fabius Pictor, L. Cincius Alimentus, M. Portius Cato, L. Scribonius Libo, L. Calpurnius Piso, L. Lælius Antipater, Sempronius Asellio, the two Gellii, Sextus and Cneius, Clodius Licinius, Sylla the dictator, L. Sisenna, Claudius Quadrigarius, Valerius Antias, Licinius Macer, Q. Hortensius, T. Pomponius Atticus, M. Tullius Cicero, C. Ælius, Q. Lutatius, M. Varro, P. Figulus, L. Tubero, C. Julius Cæsar, Oppius and Hirtius, Corn. Nepos, C. Sallust.

Livy, after completing his inimitable history, retired to Padua, where he died on the first of January, in the fourth year of the reign of Tiberius, and twentieth after the birth of Christ, in the seventy-sixth of his own age. He was twice married, and had two sons and four daughters. The name of his first wife and two sons are transmitted to us in the following inscription.

T. L.I.V.I.U.S. C. F.

S.I.B.I. E.T. S.U.I.S.

T. L.I.V.I.O. T.F. P.R.I.S.C.O. E.T.

T. LIVIO. T.F. LONGO. ET.

C.A.S.S.I.Æ. S.E.X. F. P.R.I.M.Æ.

U.X.O.R.I.

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· He was buried, at Padua, in the temple of Juno, since converted into the monastery of St. Justina, possessed by the monks of the order of St. Bennet. In this monastery was found an inscription on marble in his honour.

V. F.  
T. L.I.V.I.U.S.  
L.I.V.I.Æ. T. F.  
Q.U.A.R.T.Æ. L.  
H.A.L.Y.S.  
C.O.N.C.O.R.D.I.A.L.I.S.  
P.A.T.A.V.I.  
S.I.B.I. E.T. S.U.I.S.  
O.M.N.I.B.U.S.

In 1413 the bones of Livy were dug up, inclosed in a leaden coffin. And such crowds came to view the remains of this inimitable man, that the monks came to a resolution to burn them, thinking no veneration due to any reliques but those of their own canonization. However at the earnest solicitations of the magistrates they abandoned their design, and the coffin was carried, by persons of the first distinction in the place, to their public hall, and deposited under the west wall thereof, with this inscription :

Ossa  
T. Livii Patavini  
Unius Omnium  
Mortalium Judicio  
Digni, Cujus  
Invicto calamo,  
Invicti P. R.  
Res Gestæ  
Conscriberentur.

In 1548 they were removed to a more conspicuous place in that hall, and over them was erected a magnificent tomb, and an ancient marble bust of him, presented, for that purpose, by that eminent antiquarian Bassianus. On the right hand stands a figure of Eternity, and on the left one of Minerva, with the rivers Po and Tiber under their feet, and betwixt them a wolf suckling Remus and Romulus. Under all on a table of brass is the following inscription by Bonamicus,

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Ossa tuumque caput, cives tibi, maxime Livi,  
Prompto animo hic omnes composuere tui.  
Tu famam æternam Romæ, patriæque dedisti,  
Huic Oriens, illi fortia facta canens.  
At tibi dat Patria hæc, et si majora liceret,  
Hoc totus staret aureus ipse loco.

Seneca, in his hundredth epistle, mentions some philosophical dialogues which our author wrote in his younger years. And Quintilian says he wrote an epistle on Rhetoric to one of his sons.

It would be too tedious to recite the several eulogies bestowed on our author both by ancients and moderns. We shall therefore content ourselves, with transcribing that short but nervous panegyric on Livy, which the celebrated Rollin has put in the advertisement to the reader prefixed to his fourth volume of Roman History. "Nothing, says he, is above the merit of that illustrious historian. The beauty and elevation of his style are equal to the greatness and glory of the people whose history he writes. He is every where luminous, intelligible, agreeable: but when he enters into important affairs, he rises even above himself to treat them with peculiar attention and a kind of self-delight and complacency. He renders the action he describes present; he sets it before the eyes, he does not relate it, he shews it. He paints the genius and character of the personages he brings upon the stage after nature, and puts into their mouths words, which are always conformable to their sentiments and different situations. In short, he has the wonderful art of keeping his readers in so pleasing a suspense by the variety of events, and to engage their curiosity so strongly, that they cannot quit his relation of an incident, till it is entirely at an end."



# THE HISTORY OF TITUS LIVIUS.

## BOOK FIRST.

*The coming of Æneas into Italy, and his achievements there : the reign of Ascanius in Alba, of Æneas Sylvius, and the rest of the kings of the Sylvian family in the order of their succession are contained in the first book. The daughter of Numitor with child by Mars ; Romulus and Remus born. Amulius killed. The city of Rome built by Romulus. He chooses a senate ; makes war upon the Sabines ; presents the OPIMA SPOLIA to Jupiter Feretrius ; divides the people into CURIE ; conquers the Fidenates and the Veientes ; is deified. Numa taught the rites of religious worship ; built a temple for Janus ; and, having made peace with all his neighbours, shut it up for the first time : he pretended to hold conferences with the goddess Egeria in the night-time, and by these means prevailed on the fierce and restless minds of the people to submit to his religious institutions. Tullus Hostilius made war upon the Albans ; after this followed the combat of three twin brothers. Horatius acquitted for killing his sister. A severe punishment inflicted on Mettius Fuffetius. Alba demolished, and the Albans made citizens of Rome. War declared against the Sabines : finally, king Tullus killed by lightning. Ancus Marcius renewed the religious institutions of Numa ; gave the Latines, whom he had conquered, the right of citizenship, and assigned them the Aventine hill for their residence ; retook Politorium, a Latine city, which the antient Latines had surprised, and utterly demolished it ; built a bridge of wood over the Tiber ; added the hill Janiculum to the city ; enlarged the bounds of the empire ; built the city of Ostia. He reigned twenty-four years. In his reign Lucumo, the son of Demaratus, a Corinthian, came from Tarquinii, a city of Etruria, to Rome. He became the king's confidant, assumed the name of Tarquin, and, after the death of Ancus, was raised to the throne. He increased the senate, by adding to it a hundred new senators ; subdued the Latines, marked out the circus, and exhibited games. Upon the breaking out of a war with the Sabines, he augmented the centuries of knights ; and in order to try the skill of Accius Navius, the augur, is said to have asked him, if what he thought could be done ? upon the answer of the augur that it could, he commanded him to cut a whetstone asunder with a razor, which Accius immediately performed. He likewise defeated the Sabines in a second battle, built a wall round the city, made the common-sewers, and was murdered by the sons of Ancus after a reign of thirty-eight years. He was succeeded by Servius Tullius, the son of a noble lord taken at Corniculum, whose head is said to have been surrounded with a flame, when he was but a child in the cradle. He routed the Veientes and the Etrurians in battle ; first instituted the census, and finished the lustrum, in which eighty thousand citizens are said to have been enrolled ; divided the people into classes and centuries, enlarged the Pomarium, and added the Quirinal, Viminal, and Esquiline hills to the city. In conjunction with the Latines he*

he built a temple to *Diana* on the *Aventine hill*; and after a reign of forty-four years, was murdered by *L. Tarquin*, the son of *Priscus*, at the instigation of his own daughter *Tullia*. After him *L. Tarquin the Proud*, without the consent of either senate or people, usurped the crown, and that very day the cursed barbarous *Tullia* drove her chariot over her father's dead body lying in the street. He procured a band of armed men to guard his person; murdered *Herdonius* by treachery; after that waged war with the *Volsci*, and with the plunder taken from them built a temple to *Jupiter Capitolinus*. The gods *Terminus* and *Juventus*, whose altars could not be moved, did not agree to it. By a stratagem of his son, *Sextus Tarquin*, he reduced the city of *Gabii*. When his sons went to *Delphi*, and consulted the oracle who should be king? they were told, that the sovereignty of *Rome* was destined for him who should first give a kiss to his mother. As they mistook the meaning of this answer, *Junius Brutus*, pretending to fall, kissed the earth. The event verified the prediction: for when *Tarquin the Proud*, by his insolent and arbitrary government, had rendered himself odious to all ranks of persons, he was at last, after a reign of twenty-five years, expelled chiefly by means of *Brutus*, on account of a rape committed by his son *Sextus*, in the night-time, on *Lucretia*; who, after sending for her father *Tricipitinus*, and her husband *Collatinus*, and beseeching them to revenge her death, stabbed herself with a knife. Then *L. Junius Brutus* and *L. Tarquinius Collatinus* were first created consuls.

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WHETHER in writing the history of the people of *Rome* from the foundation of the city, I shall do a work of importance to the public, I am not very certain; nor, if I was, dare I say it: inasmuch as I observe, that it is a common and stale pretence with new authors, who persuade themselves, that they will either represent matters of fact with more certainty, or, in their manner of writing, excel the less polished ancients. Be that as it may, it will, however, be a satisfaction to me, to have done my utmost to perpetuate the memory of the achievements of a people, the lords of the world; and if, amidst so great a number of historians, I should acquire but a small degree of reputation, I may comfort myself with the greatness and lustre of those who shall obscure my name. Moreover, it is a work of immense labour, as the history of this state must be traced back for seven hundred years, which, having taken its rise from small beginnings, hath grown to such a pitch of greatness, that it now totters under its own weight. And I am sensible, that to most of my readers, its original, and the ages immediately succeeding, will afford less pleasure, while they hasten to these later times, in which the strength of this overgrown people hath for some time been working its own ruin. On the other hand I shall expect this farther reward of my labour, to withdraw myself from the view of these calamities, which our age, for so many years, hath beheld, at least, while I

am wholly intent upon reviewing these ancient times, being free from every care that might distract a writer's mind, though it could not divert it from the truth. It is not my intention either to confirm or disprove the accounts that are given us, of what happened either before or at the building of the city, as they seem rather embellished with poetical fictions, than supported by any genuine historical vouchers. Thus far antiquity is indulged, that by blending things human with divine, it may make the origin of cities appear more venerable: and if this freedom of consecrating their original, and ascribing it to the gods as their authors, is to be allowed to any nation, such is the renown of the Roman people in war, that the nations of the world may as well allow them to boast, that Mars, above all the other gods, is their author, and the father of their founder, as they patiently submit to their yoke. But whether these, and the like accounts, be censured or approved, I shall not much regard. Let every man, with me, apply his mind seriously to consider, what their life, and what their manners were; by what men and by what measures, both in peace and war, their empire was gained and enlarged. When by degrees their discipline began to relax, let them attentively observe, first the declension of their manners, next their constant visible decay, and lastly their total degeneracy, till he comes to the present age, when we can neither bear our political distempers, nor endure a proper remedy. In the knowledge of history, this is the principal use and advantage, that the reader hath examples of all kinds set before him in a true light; thence he may chuse, for himself and country, what he ought to imitate; and there he may see what he ought to avoid, as being shameful in the undertaking, and fatal in the event. But, either the love of the work I have undertaken deceives me much, or there never was any state greater, more religious, or better stored with good examples, nor into which luxury and avarice crept so late, and where poverty and frugality were for a long time honoured to that degree, that the less wealth they had the less they desired. Lately riches have brought in avarice, and an excess of pleasures introduced a propensity to waste and squander every thing by luxury and riot. But as complaints of this kind may be disagreeable, even when they are necessary, let them have no place in the beginning of so great a work. We should rather, if it was usual with historians as it is with poets, begin with good omens, vows and prayers to the gods and goddesses to vouchsafe good success to this grand undertaking.

I. Now first of all it is sufficiently certain, that, after the taking of Troy, (*a*) all manner of cruelty was exercised upon the surviving Trojans, except Æneas and Antenor; who, both on the score of former friendship, and because they had always advised the making of peace, and restoring of Helena, were exempted by the Greeks from all the rigours of war. Upon this Antenor, with a multitude of the Heneti, who, by civil discord, had been expelled Paphlagonia (*b*), and lost their king Pylæmenes at Troy, were seeking both a leader and a settlement, after a variety of adventures, came into the innermost gulf of the Adriatic sea (*c*). The Trojans and Heneti, driving out the Euganei (*d*), who dwelt between the Alps (*e*) and the sea, took possession of their country. The place where they first landed was called Troy, and thence it had the name of the Trojan district. The people in general are called Veneti (*f*). Æneas driven from his country by a like disaster, but conducted by the fates to lay the foundation of a greater state, came first into Macedonia (*g*), and going thence in quest of a new settlement, was driven to Sicily (*h*), and from that island sailed with his fleet to the country of the Laurentes (*i*). This place was likewise called Troy. There the Trojans went ashore, and having nothing left, after their tedious and painful voyages, excepting their arms and ships, fell to plundering the country. Upon this king Latinus and the Aborigines (*k*), who then possessed these parts, came armed in a body, from city and country, to repel the violence of these invaders. Of what followed there are two accounts. Some say, that Latinus, after being defeated in battle, first made peace, and afterwards an alliance by marriage with Æneas. Others, that while the armies stood in battalia, and before the signal was given, he advanced amidst his nobles, and invited the commander of the foreigners to a conference. He then enquired who they were? whence they came? by what misfortune they had been driven from home? and what they sought by landing in the country of the Laurentes? When he understood, that the people were Trojans, and that their leader was Æneas, the son of Anchises and Venus, who, upon the wasting of their country by fire and sword, wandered in quest of a settlement and a place to build a city, admiring the great renown of the nation and their leader, and charmed with their undaunted resolution, which made them indifferent either for peace or war, he gave Æneas his right hand as a pledge of future friendship. Upon this a league was concluded between the two chiefs, and the armies saluted each other. Æneas was entertained by Latinus, who, in pre-



sence of his household gods, added a domestic alliance to a national league, by giving him his daughter in marriage. And by this match the Trojans were confirmed in their hopes, that here would end the fatigue of their wandering, in a well-fixed settlement. They built a city, which Æneas called Lavinium (*l*), from the name of his wife. By this marriage they soon after had a son, whom his parents named Ascanius.

II. Upon this hostilities were begun against both the Aborigines and Trojans, by Turnus king of the Rutili (*a*), to whom Lavinia had been contracted before the coming of Æneas. He, taking it ill that the preference was given to a stranger, made war on Æneas and Latinus together. Neither side came off with cause of triumph from the battle: for the Rutili were defeated, and the Aborigines and Trojans, though they gained the victory, lost their king Latinus. After this overthrow, Turnus and Rutuli, diffident of their own strength, applied to the flourishing state of the Hetrurians (*b*) and their king Mezentius. This prince reigned over Cære (*c*), at that time a wealthy town, and as he had been uneasy, even at the first founding of Lavinium, and now thought it was grown much greater than was consistent with the safety of its neighbours, readily joined his troops to the Rutili. Æneas, providing against the danger of so powerful a confederacy, that he might firmly conciliate to himself the affections of the Aborigines, united the two nations under one name as well as government, and called them both Latines. Nor did the Aborigines after this come at all short of the Trojans in zeal and loyalty to their king. And therefore, notwithstanding Hetruria (*d*) was so strong, that the fame of its prowess had filled not only the inland country, but also the sea coast of Italy, from the Alps to the Streights of Sicily; and though Æneas might well have avoided coming to an engagement, and defended himself within his walls, yet, firmly relying on the affections of these two nations, which united every day more and more, he drew out his army, and gave them battle. Here the Latines obtained a second victory, and this was the last action of the life of Æneas. By whatever name it is lawful or proper that he should be called, he lies interred on the banks of the river Numicius (*e*), and is known by the name of Jupiter Indiges (*f*).

III. Ascanius, the son of Æneas, was not yet old enough to take the government upon him, nevertheless his dominions were preserved entire till he was fourteen years of age, under the guardianship of Lavinia, whose abilities were so great, that the Latine state and the kingdom of his father and grandfather

remained, during this time, firmly attached to the young prince. I am far from being certain, for who would affirm a thing of so ancient a date, whether this Ascanius was Lavinia's son, or another of that name older than he, born of Creusa before the destruction of Troy, who accompanied his father in his flight, and whom the Julian family call the author of their name. This prince, wherever he was born, or whoever was his mother, was certainly the son of Æneas. Lavinium being overstocked with inhabitants, he left that flourishing, and, considering these times, wealthy city to his mother or step-mother, and built for himself a new one at the foot of mount Alba, which, being extended on the declivity of a hill, was, from its situation, called Longa Alba (*a*). Between the founding of Lavinium and the transplanting this colony to Longa Alba, nearly thirty years intervened. Yet its power had increased to such a degree, especially after the defeat of the Hetrurians, that not even upon the death of Æneas, nor after that during the regency of Lavinia, and the first essays of a youthful reign, did Mezentius, the Hetrurians, or any of its neighbours dare to take up arms against it. A peace had been concluded between the two nations on these terms, That the river Albula, now called Tiber (*b*), should be the common boundary between the Hetrurians and Latines. After him Sylvius, the son of Ascanius, born by some accident in a wood, ascended the throne. He was the father of Æneas Sylvius, who afterwards begot Latinus Sylvius. This king transplanted several colonies, and called them Ancient Latines. From this time, all the princes, who reigned at Alba, had the surname of Sylvius. To Latinus was born Alba; to Alba, Atys; to Atys, Capys; to Capys, Capetus, the father of Tiberinus, who, being drowned in crossing the river Albula, gave it a name famous to posterity. Then reigned Agrippa, the son of Tiberinus, who was succeeded by his son Romulus Sylvius. The latter was killed by a thunderbolt, and left the kingdom to Aventinus, who was buried on that hill, which is now part of the city of Rome, and goes by his name. After him reigned Proca, father of Numitor and Amulius. To Numitor, his eldest son, he bequeathed the ancient kingdom of the Sylvian family. But force prevailed more than the will of the father or the respect due to seniority: for Amulius expelled his brother, seized the kingdom, and adding one crime to another murdered his brother's sons: likewise, under pretence of doing her honour, he made his daughter, Rhea Sylvia, a vestal virgin, and by this means deprived her of all hopes of issue.

IV. But, in my opinion, the origin of so great a city, and the beginning of an empire next in power to that of the gods, was owing to the fates. The vestal Rhea, being ravished, brought forth twins, and declared Mars was the father of her children, either because she believed it to be so, or that she might have credit by casting the blame upon a god. But neither gods nor men protected her or her children from the cruelty of the king : for the priestess was put into close confinement, and he commanded the children to be thrown into the very current of the river. By the interposition of heaven, the Tiber had, at that time, overflowed its banks, so that its main stream was inaccessible, by reason of the standing floods : they, therefore, who brought the infants to be exposed, thought they could be drowned in the stillest waters ; and, as if thereby they had effectually executed the king's orders, laid them in, in the nearest land-flood, where now stands the ruminal figtree, which is said to have been formerly called the figtree of Romulus. The country thereabout was then a vast wilderness. The tradition is, that when the water, subsiding, had left the trough, in which the children had been exposed, on dry ground, a thirsty she-wolf, coming from the neighbouring mountains to drink, was led to the very place by their cries ; and was of so mild a nature, that she stooped down to give them her dugs, and was found, by the king's shepherd, gently licking them with her tongue. It is said, his name was Faustulus, and that he carried them to his cot to be nursed by his wife Laurentia. Some are of opinion that she was called Lupa among the shepherds, from her being a common prostitute, and this gave rise to the surprising story. The children, thus born and thus educated, when arrived to the years of manhood, did not loiter away their time in tending the folds or following the flocks, but roamed and hunted in the forests. Having by this exercise improved their strength and courage, they not only encountered wild beasts, but even attacked robbers laden with plunder, and afterwards divided the spoil among the shepherds. And as their numbers daily increased, by the resort of the young men of the country, they kept days of feasting, and diverted themselves with rural pastimes.

V. Some assert, that the festival of the lupercalia (*a*) was even, at this time, solemnized on the Palatine hill, which, from Palanteum, a city of Arcadia, was first called Palatium, and afterwards mount Palatine. That Evander descended of these Arcadians, who for many years before possessed that country, had appointed the observation of this feast, which he had brought with him from Arcadia (*b*), to be solemnized by young men, who were to

run about naked with all manner of mirth and wantonness, in honour of Pan Lycæus (*c*), whom the Romans afterwards called Inuus. When the robbers, enraged at the loss of their plunder, had information of the time, when this festival was to be celebrated, they lay in wait for them, while they were engaged in the sports; and though Romulus escaped, by making a gallant defence, they took Remus, and delivered him captive to Amulius, with grievous accusations. Their chief charge against them was, that assisted by a banditti of young fellows, which they had gathered about them, they made incursions upon the lands of Numitor, and plundered them in an hostile manner. Upon this Remus was delivered to Numitor to be punished. Now, from the first, Faustus had entertained hopes, that the children whom he had educated, were of the blood royal; for he knew that the children of Rhea had been exposed by the order of the king, and that the time when this happened, agreed exactly with that wherein he had taken up these two infants: but he had been unwilling to disclose this secret, which was not yet ripe for a discovery, till either a fit opportunity offered, or necessity obliged him. Necessity first drove him to it; for, concerned for the safety of the young men, he discovered the whole affair to Romulus. It happened likewise, that Numitor, when he had Remus in custody, upon hearing that he had a twin brother, by comparing their age, and observing their behaviour to be free from every thing mean and servile, was struck with the remembrance of his grandchildren, and upon enquiry into the matter, was almost prevailed upon to acknowledge Remus. Upon this plots were laid against Amulius on all hands. Romulus made no attempt against him with his band of young men, nor was he able to do it by open force; but having commanded the shepherds to come to the palace by different roads at a fixed time, he forced his way to the king. Remus, with another party from the house of Numitor, assisted his brother, and thus they killed Amulius.

VI. Numitor, at the beginning of the fray, giving out that enemies had invaded the city, and assaulted the palace, had drawn off the Alban youth into the citadel to secure and garrison it. Afterwards, when he saw that the young men, who had killed the king, were advancing to congratulate him, he immediately called an assembly of the people, and represented to them the unnatural behaviour of his brother towards him, the extraction of his grandchildren, the manner of their birth and education, and the occasion of their discovery; then he informed them of the death of the king, and that he was killed by his orders. When the young

princes, coming up with their band through the middle of the assembly, had saluted their grandfather king, the united shouts of all the people present confirmed to him both that title and authority. And thus the government of Alba being committed to Numitor, Romulus and Remus had a strong desire to build a city on the spot where they had been exposed and educated. The country of the Albans and Latines was overstocked with people. The shepherds too had come into that design, and from these numbers, they were filled with the strongest hopes, that Alba and Lavinium would be petty places in comparison of the city which they intended to build. But the ambition of the sovereignty, which had proved the bane of their grandfather, interrupted their designs, and thence arose a quarrel that proved fatal in the end, though at first matters were managed with sufficient temper. For as they were twins, and the respect due to seniority could not determine the superiority, they agreed to leave to the tutelary gods of the place to choose, by augury, the person who should give name to the new city, and govern it when built.

VII. Romulus chose the Palatine, and Remus the Aventine hill, to make their observation. It is said, that Remus had the first augury, which was six vultures; and that, when this was told to Romulus, upon his observing double the number, each of them was saluted king by his followers. The one party founded their claim upon the first observation, and the other on the number of the birds. Upon this they fell to high words; then the dispute growing warm, they came to blows, and in the scuffle Remus was slain. The most common account is, that Remus, in derision of his brother, leaped over his new-built wall, and was, for that reason, slain by Romulus in a passion; who, after sharply chiding him, added words to this effect, "So shall every one die, that for the future shall dare to leap over my fortifications." Thus Romulus alone got the sovereignty, and the city was called after the name of its founder. His first work was to fortify the Palatine hill where he had been educated. He then appointed sacrifices to the Grecian Hercules, according to the institution of Evander, and to the other gods, according to the Alban manner. There is a tradition, that Hercules, having killed Geryon, drove his oxen, which were extremely beautiful, into those places; and that, after swimming over the Tiber, and driving the cattle before him, being fatigued with travelling, he laid himself down on the banks of the river, in a place abounding with grass, to refresh them with rest and fat pasture. While he, overcharged with eating and drinking, lay fast asleep, a shepherd of the place,

named Cacus, proud of his strength, and charmed with the beauty of the oxen, designing to make a prey of them, drew the most beautiful of them, one by one, by the tails, backwards into a cave; for had he driven them forwards, their footsteps would have guided their owner to it. Hercules awaking at daybreak, and surveying his herd, observed that some of them were missing, and went directly to the next cave, to see if by chance their footsteps would lead him thither. But when he observed, that they were all turned from it, and directed him no other way, he was confounded, and not knowing what to do, begun to drive his cattle out of that infested place. Upon this, some of the cows, as they usually do, lowed for want of those that were left; and the lowings of those that were confined, resounding from the cave, made Hercules turn that way. As he was going thither Cacus endeavoured to stop him by force; but Hercules having knocked him down with his club, he died, vainly imploring the assistance of the shepherds. At that time Evander, who had fled from the Peloponnesus (*a*), ruled this country more by his credit and reputation, than absolute sway. He was a person highly revered, for his communicating to them the knowledge of letters (*b*), a discovery that was entirely new and surprising to men ignorant of every art; but more highly respected on account of his mother Carmenta (*c*), who was believed to be a goddess, and whom these nations had admired for her prophetic spirit, before the coming of the Sibyl (*d*) into Italy. This prince, called upon by the shepherds, hastily crowding round the stranger, whom they charged with open murder, hearing what Hercules had done, and the provocation he had received; observing likewise that his size was larger, and his gait more majestic than human, asked who he was? As soon as he was informed of his name, his father, and his native country, he said, "Hail! O Hercules! son of Jupiter, my mother, a very true prophetess, hath revealed to me, that thou shalt encrease the number of celestial deities; and that to thee an altar shall be dedicated, which some ages hence the most powerful people on earth shall call Ara Maxima (*e*), and honour according to thy own institution." Hercules having given him his right-hand, said, "That he gladly accepted the omen, and would fulfil the predictions of the fates, by building and consecrating an altar in that place." There they first sacrificed to him a beautiful heifer chosen out of the herd. The Potitii and Pinarii, the chief families of the place, performed the service, and were admitted to the entertainment. It happened, that the Potitii were present in due time, and the entrails set before them,

and when they were eaten up, the Pinarii came to the remainder of the feast. From this time it was ordained, that while the Pinarian family subsisted, none of them should eat of the entrails of the solemn sacrifices. The Potitii, being instructed by Evander, discharged this sacred function as priests of Hercules for many ages, till after intrusting the solemn office of their family to public slaves, their whole race became extinct. This was the only foreign religious institution adopted by Romulus, who began so early to befriend that immortal renown acquired by virtue, to which his good fortune conducted him.

VIII. Divine service being performed with the usual ceremony, Romulus assembled his people, and prescribed them laws, which was the only method to unite them in the same society. And, judging that these would strike his unpolished subjects with the greater awe, if he was adorned with the ensigns of royalty, to give him the greater air of majesty, he distinguished himself by a particular habit, but especially by twelve lictors (*a*), whom he appointed to attend him. Some think that he chose this number of officers from that of the birds, which by their flight had portended to him the kingdom. I dislike not their opinion, who believe that the apparitors (*b*) and lictors, and even this particular number of them, was taken from his neighbours the Heturians, from whom he borrowed the curule chair (*c*), and the toga prætexta (*d*). The twelve nations of Heturia in a general diet chose their king, and each of them assigned him a lictor, which gave occasion to that number. In the mean time, the fortifications of the city were enlarged, for they still continued to take in new ground, and fortified it more in hopes of new comers, than for the sake of the present inhabitants. And that this great city might not stand empty, the king, according to the ancient policy of the founders of cities, who, by drawing together persons of mean birth and low circumstances, feigned that their offspring sprung out of the earth, opened an asylum in that place, which is now enclosed on the descent of the hill between the two groves. A multitude of all who were fond of novelty, both freemen and slaves indiscriminately, fled from the neighbouring nations to this sanctuary; and first strengthened the growing greatness of the city. Its power being now become considerable, he resolved to put it under proper regulations; and for that purpose chose a hundred senators, either because that number was sufficient, or because only so many could be raised to the dignity of fathers (*e*). It is certain, that out of respect they were called fathers, and their children patricians.

IX. And now the Roman state was become so powerful, that it was a match for any of its neighbours; but, for want of women, its greatness could only last for one age; for they had no hopes of issue at home, nor had they any intermarriages with other nations. Therefore, by the advice of the fathers, Romulus sent ambassadors to the neighbouring states, to propose a strict alliance with them, and to demand wives of them for his new people. They were ordered to represent to them, "That cities, like every thing else, rose from very mean beginnings. That those, which were assisted by the gods and their own virtue, in time gained great power and high renown. They were convinced that the gods had aided Rome in its rise, and that the inhabitants would not fail to signalize themselves by their bravery. And for these reasons they ought not to disdain uniting their families and blood with them, who were men as well as themselves." The ambassadors were no where graciously received, so much did the neighbouring nations despise the Romans, and such danger did they apprehend to themselves and posterity, by the sudden growth of this mighty state in the centre of their country. The greater part of those, to whom they addressed themselves, dismissed them by often asking, with a sneer, "if they had likewise opened an asylum for vagrant women?" adding, "that by that method only they could provide themselves with suitable matches." The Roman youth, provoked at this raillery, determined to have recourse to force. The king, therefore, to give them an opportunity of executing their designs, concealed his uneasiness, and on purpose prepared solemn games in honour of Neptune Equestris (*a*). He called them consulia (*b*), and ordered them to be notified in the neighbouring towns. To make the shews as splendid as possible, and equal to the expectation of the strangers, they celebrated them with all the pompous preparations which they either knew, or their poverty would admit. Great numbers flocked to Rome, especially their nearest neighbours, the Cæninenses, Crustumini, and Antemnates (*c*), being desirous to see both the new city and the shews. The whole nation of the Sabines (*d*) came with their wives and children. The Romans received them with great civility, and entertained them in their houses; and upon seeing the situation of the city, its fortifications, and the vast number of houses in it, they were surprised at its prodigious growth in so short a time. When the shews came on, and while their minds and eyes were intent upon them, according to concert, a tumult began, and, upon a signal given, the Roman youth ran different ways to carry off the virgins by force.



A great number were hurried away, without any distinction, by those into whose hands they fell. Some of the most beautiful of them, designed for the principal senators, were, by persons appointed on purpose, carried to their houses. It is reported, that while the party of one Thalassius was carrying off a virgin far superior to the rest, both in beauty and stature, being often asked for whom they intended her, the men, to save her honour, cried out several times, that they were carrying her to Thalassius, and thence this word became customary at marriages in Rome (*e*). As fear had interrupted the games, the parents of the ravished virgins ran out of the city in despair. They bitterly reproached the Romans with violating the laws of hospitality, and invoked the vengeance of that god, to whose festival and games they had come, and where they had been shamefully betrayed, under colour of religion and national faith. Neither had the ravished virgins better hopes of their condition than their parents, nor less resentment against their ravishers. But Romulus in person went about and declared, "That what was done, was owing to the pride of their fathers, who had refused to give them in marriage to their neighbours; but, notwithstanding what had happened, they should be joined in lawful wedlock, made partners of their estate, obtain the freedom of the city, and be made happy in children, who are dearer to mankind than every other enjoyment. He begged them only to assuage the fierceness of their anger, and cheerfully surrender their hearts to those whom fortune had put in possession of their persons." He added, "that injuries are often the forerunners of love and friendship; and that their husbands would prove the more indulgent, because each of them, besides the performance of conjugal duty, would endeavour, to the utmost of his power, to supply the want of their parents and native country." To this speech of the king, the husbands added caresses, pleading, in excuse of what they had done, the violence of their passion, and the sincerity of their love, arguments that work most successfully on the hearts of women.

X. The minds of the ravished virgins were soon softened, but their parents put on mourning, and with their tears and complaints, stirred up their states to revenge the injury done them. Nor was their resentment confined to their own country, but they assembled from all quarters to Titus Tatius, king of the Sabines, because he bore the greatest character in these parts. All the neighbouring states sent ambassadors to him. The Cæninenses, Crustumini, and Antemnates had been sufferers by the rape, and thought Titus and the Sabines proceeded too slowly; therefore

these three nations formed an alliance, and prepared for war. Nor did the motions of the Crustumini and Antemnates keep pace, with the ardour and fury of the Cæninenses, who for that reason made an incursion alone upon the Roman territories. Romulus with his army met them ravaging the country in straggling parties, and, by a slight engagement, convinced them, that resentment without strength is of no avail. He defeated and routed their army, pursued the fugitives, killed their king in battle, stripped him of his armour, and, having slain their general, took the city at the first assault. From thence he led back his victorious army, and, being a man highly distinguished by his gallant exploits, and one who could place them in the best light, went in state to the capitol, carrying on high before him, as a pompous pageant, in a frame curiously made for that purpose, the spoils of the enemy's general whom he had slain. There he laid them down at the foot of an oak held sacred by the shepherds, consecrated them as a present to Jupiter, and, having marked out the bounds of a temple for him, gave a surname to the god in the following words: "O! Jupiter Feretrius (*a*), I king Romulus, upon my victory, present to thee these royal arms, and to thee I dedicate a temple on that spot which I have marked out in my mind, to receive these opima spolia (*b*), which my successors, following my example, shall, upon their killing the king or general of the enemy, offer to thee." This was the origin of that temple, the first consecrated at Rome. The promise made by the founder, that his successors should bring the spoils thither, was by the favour of the gods fulfilled: nor was the glory of the offering prostituted by the number of those who shared it; for, during the space of so many years, and in all the frequent wars that happened since that time, the opima spolia have been only twice (*c*) gained, so few there have been who have had the good fortune to attain that honour.

XI. Whilst the Romans thus waged war against the Cæninenses, the Antemnates, taking the opportunity of their absence, entered their territories in an hostile manner. The Roman army marched out in haste, and came upon them dispersed and straggling through the fields. By this means the enemy, at the very first shout and charge, were entirely routed, and their town taken from them. As Romulus was returning in triumph for these two victories, his queen Hersilia, importuned by the entreaties of the wives that had been ravished, earnestly besought him "to pardon their fathers, and to admit them to the privilege of Roman citizens;" adding, "that by that reconciliation his kingdom would

be greatly strengthened ;" which request was readily granted her. After this he marched against the Crustumini, who had begun hostilities ; but as their spirits were sunk by the defeat of their neighbours, he found no great resistance there. Colonies were sent to both these places, but the greater part gave in their names to go to Crustuminum, because of the fruitfulness of the soil. Many removed thence to Rome, especially the parents and relations of the women that had been ravished. The last war, that broke out on the score of the rape, was with the Sabines, and proved by far the most dangerous : for they did nothing in the heat of passion, or through greediness of spoil ; nor did they make shew of a war, before they really begun it. They supported their designs by a stratagem. Sp. Tarpeius commanded the citadel, whose daughter Tatius bribed with the promise of a sum of money, to let his soldiers enter it in arms. She took the opportunity of doing this, as she was going to fetch water for the sacrifice, and those she let in crushed her to death with their bucklers ; either that they might seem to have taken it by force, or to make her an example to posterity, that no faith ought to be kept with a traitor. Because the Sabines commonly carried on their left arm golden bracelets of great value, and wore rings set with precious stones ; a story is current, that she agreed with them for what they had on their left arm, and that they threw their shields upon her instead of the bracelets of gold. Some say, that as they had agreed to give her what they wore on their left-hand, she, without speaking distinctly, demanded their arms, and, as by that she seemed to act treacherously, she perished by a reward of her own choosing.

XII. Nevertheless the Sabines kept possession of the citadel, and though the Roman army the next day drew out into the field between the Palatine (*a*) and Capitoline (*b*) hills, yet they did not venture into the plain, till the Romans, fired with resentment, and eager to retake the castle, marched up to attack them. Two principal officers on each side animated the battle, viz. Mettius Curtius on the side of the Sabines, and Hostus Hostilius on that of the Romans. Notwithstanding the disadvantage of the ground this latter hero for some time supported the Romans by his courage and bravery. But when he fell, they immediately gave way and fled to the old gate of Palatium (*c*). Romulus, carried away with the general rout, lifted up his arms to heaven and said, "O! Jupiter, in obedience to thy birds, I here laid the first foundation of my city on the Palatine hill. The Sabines are in possession of the citadel, which they have got by fraud and bribery. And now they are advancing hither sword in hand, and have already passed

more than half the valley. But do thou, O! Jupiter, father of gods and men, drive the enemy at least from hence, dispel the fear that hath seized the Romans, and stop their shameful flight. I here solemnly vow to build thee a temple under the name of Jupiter Stator (*d*), as a monument to posterity, that this city was saved by thy immediate aid." Upon this, as if he had perceived that his prayers were heard, he cried with a loud voice, "O! Romans, the most great and gracious Jupiter commands you to stand here, and renew the battle." The Romans stopped as if they had been commanded by a voice from heaven, and the king flew to the foremost ranks. Mettius Curtius, the Sabine champion, had by this time come down from the citadel, routed the Romans, and driven them all over the forum. He was now come near the gate of Palatium, and cried with a loud voice, "We have defeated our cowardly and treacherous enemies: now they are sensible of the difference between ravishing virgins and fighting with men." Whilst he was boasting in this insulting manner, Romulus, at the head of a body of very brisk young men, attacked him. It happened that Mettius fought on horse-back, so that he was more easily put to flight by the Romans who pursued him warmly. Another battalion of them, encouraged by the gallant behaviour of their king, routed the Sabines. The horse of Mettius, being terrified with the noise of the pursuers, drove into a marsh, whither the danger of so considerable a man drew the Sabines. Animated by the shouts of many of his friends, he recovered his spirits and made his escape. Both sides renewed the battle in the valley between the Palatine and Capitoline hills, but the Romans had the advantage.

XIII. By this time the fear of the Sabine women, the rape of whom had occasioned the war, being overcome by the miseries which they beheld, with their hair dishevelled, and garments rent, they boldly threw themselves amidst the showers of darts, and rushing between the two armies in the heat of action, gave a check to their fury. On the one hand they besought their fathers, and on the other their husbands, "That as they were fathers and sons-in-law, they would not impiously embroil their hands in one another's blood. That they would not derive the stain of parricide upon their infants, grand-children of the one, and children of the other. If you, our fathers, are dissatisfied with the alliance between our husbands and you; or if you our husbands are displeased with our being your wives, turn your resentment against us: we are the cause of this war; we have occasioned this bloodshed and havoc among our

fathers and husbands: it is better for us to die than to live orphans or widows, deprived of either of you." This sight excited the compassion both of the generals and the armies. All hostilities immediately ceased, and a profound silence ensued. The commanders advanced in order to concert a treaty, and they not only concluded a peace, but united the two states. They divided the regal power equally between the two kings, and Rome was made the seat of the government. By this coalition the city was doubled, and to shew some respect to the Sabines, the Romans were called Quirites (*a*), from the Sabine city Cures. To perpetuate the remembrance of this battle, the place where the horse of Curtius, after getting out of the deep marsh, first set him on shallow water, is called the lake of Curtius. This happy peace, which so soon followed an unnatural war, endeared the Sabine women exceedingly to their husbands, but especially to Romulus. Therefore upon his dividing the people into thirty curiæ (*b*), he called them by their names. But though it be certain, that the Sabine women somewhat exceeded that number, yet we have no account whether they, who gave names to these curiæ, were chosen by lot, seniority, or according to their own quality, or the rank of their husbands. At the same time three centuries of knights (*c*) were enrolled; from Romulus, they were called Ramnenses; from Titus Tatius, Tatienses; but why they were called Luceres, or whence the word was derived, is uncertain. From this time the two kings not only shared the power equally, but also lived in perfect harmony.

XIV. Some years after, the kinsmen of king Tatius beat the ambassadors of the Laurentes, and though they demanded satisfaction according to the law of nations, yet partiality for his friends and their entreaties had more weight with him than the just complaints of the others. By this conduct he brought the punishment due to them upon himself; for having gone to a yearly sacrifice at Lavinium, the people rose and slew him. They say that Romulus did not resent this as the nature of the crime deserved, either because co-partners in sovereignty are never true to one another, or because he believed that he was justly killed. For this reason he declined going to war. Nevertheless to expiate the murder of the king, and the injuries done to the ambassadors, the treaty was renewed between the cities of Rome and Lavinium. Though peace was concluded with them contrary to expectation, a new war broke out much nearer Rome, almost at the very gates of the city. The Fidenates (*a*), judging that the Roman state was growing too powerful in their neighbourhood,

commenced war against it before it should arrive at that pitch of grandeur to which it was likely to rise. A great number of young men, on a sudden entering the Roman territories, ravaged all the country between Fidenæ and Rome. Then turning to the left, because the Tiber confined them on the right, they continued their depredations to the great terror of the peasants. From thence the sudden alarm reaching the city brought the first news of the enemy. Romulus, roused at this unexpected invasion, as the enemy's approach admitted no delay, led out his army and encamped a mile from Fidenæ. Having left a small party to guard his camp, he marched out with the rest of his forces, and commanded a party of them to lie in ambush in a place covered with thick bushes. Then he advanced with the greater part of the foot, and all the horse; and by riding up to the very gates of the city in a disorderly and menacing manner, according to his design, drew out the enemy. The behaviour of the horse likewise made the flight, which was to be counterfeited, appear less surprising: for while the cavalry seemed through fear in suspense whether to fight or fly, the foot likewise drew back. Upon this the enemy instantly opened their gates and sallied out; and their eagerness to pursue, and fall upon the retreating Romans, drew them into the ambuscade. The Romans, suddenly starting up, attacked the enemy in flank. They who had been left to guard the camp, advanced with flying colours, and increased their fear. Thus the Fidenates, being struck with terror from all quarters, turned their backs, before Romulus and his men could wheel their horses, and fled in earnest with much greater speed than they had pursued those who just before had feigned to fly before them. But they could not save themselves: for Romulus, closely pursuing them, entered the city together with their own men, before they could shut the gates.

XV. The war with the Fidenates, spreading like a contagious distemper, soon reached the Veientes: as they were enraged on account of their relation to that people, who were Hetrurians as well as they, so, apprehensive that the Romans would carry their arms against all their neighbours, the situation of their country so near the seat of war, engaged them to take part in it, and therefore they entered the Roman territories rather with a design to ravage the country than to carry on a regular war. Therefore, after plundering the lands, they returned with their booty to Veii (*a*), without pitching a camp, or waiting for the enemy. Romulus, when he found they were gone, passed the Tiber, being prepared and eager to come to a decisive battle. The Veientes, informed

of his having taken the field, and that he intended to advance to their city, marched out to meet him, chusing rather to risk a battle than to be pent up, and obliged to fight from their walls and houses. In this engagement, without using any stratagem, Romulus gained the victory by mere strength, and the bravery of his veteran troops. He routed the enemy, and pursued them to the walls of the city; but as it was strongly fortified by nature and art, he made no attempt to take it. In his return he ravaged their lands, more through a desire of revenge than greediness of plunder. The Veientes having suffered as much by this loss as by their defeat, sent deputies to Rome to sue for peace. Part of their lands was taken from them, and a truce granted them for a hundred years. These are the most remarkable actions performed by Romulus, in peace and war, none of which (whether we consider his courage in recovering the kingdom to his grandfather, or his project of building a new city, and strengthening it by good policy and arms) seem inconsistent with the belief of his divine original, or of his deification after death. For the city, by the progress it had made under him, was become so powerful, that for forty years after it enjoyed a profound tranquillity. Yet he was dearer to the people than to the fathers; but above all others he was the favourite of the soldiers. He chose three hundred of them, whom he formed into a body-guard, to attend him in peace and war, and called them *celerēs* (*b*), or light-horsemen.

XVI. After performing these immortal achievements, while he was holding an assembly of the people for mustering his army, in a field nigh the goat's pond (*a*), on a sudden there arose a storm, with terrible claps of thunder, and such a thick shower of rain fell, that it covered the king, and took him out of their sight. Nor was Romulus after this seen on earth. When the consternation was over, and a fine clear day succeeded the storm, the Roman youth observing the king's chair empty, although they gave sufficient credit to what the fathers who stood nearest him said, that he was taken up into the air by the tempest; yet, struck with the dreadful apprehensions of the want of a king, remained for some time in mournful silence. But, after a few of their number had set them an example, the whole assembly paid divine adoration to Romulus, the son of Mars, the founder and king of Rome. They earnestly besought him to grant them peace, and that he would graciously vouchsafe at all times to protect his offspring from every kind of danger. I believe there were some at that time who surmised, that he was torn in pieces by the

fathers: this report took air, but gained very little credit; for the present consternation, and the great veneration they had for their king, made the other more universally believed. One man is said likewise by his address to have confirmed the first account; for the citizens being uneasy at the want of their king, and dissatisfied with the fathers, Julius Proculus, the author of this remarkable story, and who is said to have been a man of veracity, appeared in the open assembly, and spake as follows: "O! Romans, Romulus the father of this city, suddenly descending from heaven, appeared to me yesterday at day-break. While I stood covered with surprise, and filled with a religious dread, beseeching him to allow me to see him face to face, he said, go tell the Romans, it is the pleasure of the gods, that my Rome become the capital of the world. Therefore let them cultivate the art of war, and let them know and hand down to posterity, that no human power shall be able to withstand the Roman arms. Having said this, he ascended up to heaven." It is surprising what credit was given to Proculus, and how much the regret of the common people and army, for the loss of Romulus, was lessened upon this assurance of his immortality.

XVII. In the mean time the fathers, ambitious of getting the sovereignty into their own hands, were wholly employed in caballing. The contest arose not from the ambition of individuals, but the dispute was between the different nations that composed the state; for among this new people, there was not any one far distinguished above the rest by interest and authority. The descendants of the Sabines, fearful of losing their claim to the crown, because they had not enjoyed an equal share of the regal power, since the death of Tatius, were desirous to have a king chosen from among them; and the old Romans had a strong aversion to a foreign prince. Yet, amidst these disputes, the different factions declared unanimously for regal government, because they had not yet tasted the sweets of liberty. The fathers likewise, seeing the state without a king, the army without a general, and knowing that the neighbouring powers were incensed against them, feared a foreign invasion. For this reason they resolved to have a head; but none of them thought of yielding that honour to another. Upon this the hundred fathers took the sovereign power into their own hands. They divided themselves into decuries or tens, and chose one of every ten, who had the chief direction of affairs. Each ten possessed the supreme authority alternately; yet so, that one person only was attended with the lictors and the ensigns of royalty at one time. Their govern-



ment was confined to five days; it went round them all regularly, and continued in this form for the space of one year, and hence was called an *interregnum*, a name which it retains at this day. But the people began to murmur, that their slavery was increased, and that they had an hundred sovereigns instead of one, and seemed determined to bear no authority but that of a king, and a king of their own choosing. When the fathers perceived what was in agitation, they thought it advisable to offer them, of their own accord, what they must soon be obliged to give up, and conciliated the favour of the people by yielding to them the supreme power, yet in such a manner that they granted them no greater privilege than they reserved to themselves. For they decreed, that when the people should chuse a king the election should be valid, if it was approved by the senate. And the same forms are observed at this day in passing laws and electing magistrates, though they have now lost their effect; for before the people begin to vote, the senators propose the affair, and leave it to the uncertain event of their suffrages. To proceed, the *interrex* having called an assembly of the people, addressed them in this manner: "Do you, O Romans, chuse yourselves a king, and may it prove fortunate, happy and auspicious to you. The fathers consent to it, and will, if you chuse a prince worthy to succeed Romulus, confirm your choice." The people were so pleased with this concession, that not to be deficient in complaisance, they only voted, that the nomination of a king should be left to the senate.

XVIII. Numa Pompilius was at that time famed for his justice and piety. He dwelt at Cures (*a*), a city belonging to the Sabines, and was as learned both in divine and human laws, as was possible in that age. Because they can assign him no other master, it is said he learned his philosophy from Pythagoras of Samos (*b*); but this assertion is false. For it is certain, that this philosopher, in the reign of Servius Tullius, more than a hundred years afterwards kept a school of young men, who eagerly imbibed his doctrine, in the most distant part of Italy, about Metapontus (*c*), Heraclea (*d*) and Croton (*e*). But had he been contemporary with Numa Pompilius, how could his fame, from these remote places, have reached the Sabines, or by the common use of what language could he have excited in any one a desire of becoming his scholar? Besides, how could a single man have safely passed through so many nations differing in language and customs? I presume, therefore, that Numa was naturally of an excellent and virtuous disposition, and that he was not so much versed in foreign sciences, as well instructed in the

severe and rigid discipline of the ancient Sabines, which was formerly very remarkable for its strictness and purity. The Roman fathers upon hearing the name of Numa, although they perceived that the scale of power would lean to the side of the Sabines, if they should chuse a king of that nation, yet not one of them dared to put himself, or any other of his party, nor any of the citizens or fathers, in competition with him, but unanimously resolved to confer the kingdom on him. As soon as he was brought to Rome, in imitation of Romulus, who before the building of the city was raised to the throne by augury, he commanded the gods to be consulted concerning his own election. Upon this one of the augurs (*f*), who ever after had the honour to perform that sacred office on public occasions, led him to the castle and set him upon a stone with his face to the south. Then he seated himself on the left hand of Numa with his head covered, holding in his right-hand a crooked staff called *lituus* (*g*). Where, after looking towards the city and country, he prayed to the gods, and marked out the quarters of the heavens from-east to west; calling the quarter towards the south the right, and that towards the north the left (*h*). Again he took a prospect straight forward, as far as his sight could reach, and marked the bounds in his mind. Then shifting the rod into his left-hand, and laying his right upon the head of Numa, he made the following prayer: "O father Jupiter, if it is thy will that this Numa Pompilius, whose head I hold, should be king of Rome, I beseech thee to give sure and evident signs of it within those bounds which I have marked." Then he mentioned the omens which he wished to appear, and upon their being seen, Numa was declared king and came down from the temple.

XIX. Having thus obtained the kingdom, he resolved, by justice, laws, and wise regulations, to make a thorough reformation in this city, which had been at first built by violence and arms. But as he saw that he could not immediately reconcile to his institutions a people whose minds were become savage by continual wars, and judging that their fierce tempers must be first softened by diverting them from the violence of arms, he built the temple of Janus (*a*), at the end of the street Argiletum, to be a sign of peace and war: that when open, it might shew the state was engaged in war, and when shut, that all the neighbouring nations were at peace with it. Twice only since the reign of Numa hath this temple been shut; once when T. Manlius was consul, at the end of the first Punic war; and a second time, which the gods granted our age the happiness to see, by the emperor Augustus.

Cæsar, after the battle of Actium, which procured peace by sea and land. When Numa had shut it and secured all his neighbours by treaties and alliances, having no apprehensions of disturbance from abroad, to prevent his subjects from becoming riotous by ease and quiet, who had been formerly restrained by military discipline and the dread of their enemies, he deemed that the most effectual method would be to impress a fear of the gods upon the minds of the ignorant and uncivilized multitude. But as this reverence for the gods could make no deep impression on their minds, without feigning some miracle, he gave out, that he had conferences in the night-time with the goddess Egeria (*b*), and that by her direction he instituted what religious service and sacrifices were most acceptable to the gods, and appointed to each of them particular priests to perform the same. And first of all he divided the year into twelve months (*c*), according to the course of the moon. But because the lunar month is not full thirty days, and besides some days are wanting to make a full year, according to the regular returns of the seasons, he so ordered it, by inserting intercalary months, that twenty-four (*d*) of these years taken together should be equal to that number of complete revolutions of the sun, and at the end of that period the days returned to the same point of the solar year. He likewise made a distinction of the days (*e*) into auspicious and inauspicious, because on some it would be convenient not to hold any assemblies of the people.

XX. Next he applied himself to the election of priests, though he performed many sacrifices himself, especially those which now belong to the high priest of Jupiter (*a*). But presuming, that in a warlike nation, there would be more kings of the temper of Romulus than of Numa, and that they would go to war in person, he appointed a priest constantly to attend the worship of Jupiter, that the religious service ordinarily performed by the king might not be neglected. Him he distinguished by a fine robe, and gave him a curule chair. He likewise added two other flamines, one for Mars (*b*), and another for Romulus (*c*). He instituted the vestal virgins (*d*), an order which took its rise from Alba, and had a near relation to the family of the founder of Rome. That they might constantly attend in the temple, he appointed them salaries out of the public treasury; and by obliging them to preserve their virginity, and to observe other religious rites, he made the order sacred and venerable. He created twelve Salii (*e*) to Mars Gradivus (*f*), distinguished them with an embroidered Tunic, and gave them a breast-plate of brass to wear

above it. They were appointed to carry the shields called *An-cilia* (*g*), which fell from heaven, and to go through the city singing songs, with capering and solemn dancing. Then he chose out of the number of the fathers *Numa Marcius*, the son of *Marcus*, for high priest (*h*), and delivered to him an entire system of religious rites, wrote out and sealed, shewing what sacrifices were to be offered, upon what days, and in what temples; and likewise from what funds the money was to be taken to defray the expence of them. He placed all religious institutions, whether public or private, under the cognizance of the high priest, to the end that the people might have a proper judge to consult, and to prevent all innovations in religion, by neglecting the rites established in their own country, and introducing foreign ceremonies. The high priest likewise was ordained to instruct the people not only in the worship due to the celestial deities, but also in the manner of performing funeral obsequies, and of appeasing the manes of the dead. He, moreover, taught the people to expiate and purge by sacrifice the prodigies foretold by thunder, or any other phænomena, and to attain the knowledge of future events, he dedicated an altar to *Jupiter Elicius* (*i*) on the *Aventine hill* (*h*), and consulted him by augury concerning every thing he undertook.

XXI. As the learning and performing these rites diverted the people from violence and arms, and kept them constantly employed; so being convinced that the divine providence interests itself in human affairs, the fear of the gods, continually impressed upon their minds, filled them with such religious sentiments, that promises and oaths awed the state almost as effectually as terrors and punishments. Nor did his subjects only form themselves after the example of the king as the most complete pattern, but the neighbouring nations, who had formerly regarded Rome, not as a city, but as a camp pitched in the midst of them, for disturbing the public tranquillity, were induced to entertain so great a veneration for it, that they deemed it impious to injure a state entirely employed in the religious service of the gods. There was a grove, through the middle of which there constantly ran a brook of water, issuing from a dark grotto. *Numa* often retiring thither alone, under pretence of conferring with the goddess, dedicated it to the muses, that he might there meet and advise with them and his wife *Egeria*. He also instituted a yearly festival to the goddess *Faith* (*a*) alone, and commanded the priests to be carried to her temple in an arched chariot, drawn by two horses, and to perform the divine service with their hands wrapt up to the fingers, to signify that Faith ought to be pro-

tected, and that her seat ought to be sacred and inviolable, even in men's right hands. He instituted many other sacrifices, and dedicated the places for offering them, which the priests called *Argei* (*b*). But the master-piece of his policy was, that during the whole course of his reign, he had no less regard to maintaining the public tranquillity, than to the support of his regal authority. Thus two successive kings improved and enlarged the state by different maxims, the first by war, and the latter by peace. Romulus reigned thirty-seven years, and Numa forty-three; and by them the state was both tempered and strengthened by the arts of peace and war.

XXII. Upon the death of Numa, the administration returned again to an Interregnum; after which the people appointed Tullus Hostilius, the grandson of that Hostilius who made the noble stand against the Sabines at the foot of the castle, to take upon him the government. This election was confirmed by the fathers. He was not only unlike to the former king, but even of a more warlike disposition than Romulus: besides, his youth and strength, and the renown of his grandfather, fired his ambition. Thinking therefore that the state was enervated by peace, he sought every where for pretexts to excite war. It happened very favourably for his designs, that the Roman and Alban peasants had plundered each others lands. C. Cluilius at that time governed Alba. Both nations sent ambassadors almost at the same time to demand restitution of the goods that had been carried off. Tullus ordered his to execute their commission without delay. He well knew that the Albans would refuse to give satisfaction, and that this would furnish him with just ground for a war. But the Alban deputies were more remiss in the execution of their orders. For being received by Tullus in an obliging and friendly manner, they, in return to his civility, spent their time in feasting with the king. The Romans were before-hand in demanding restitution, and, upon the refusal of the Albans, declared they would begin hostilities after thirty days, and of this they gave Tullus notice. Upon which he granted an audience to the Alban ambassadors, in order to hear their demands. They, ignorant of all that had passed at their court, wasted the time in making apologies; "That it was with the utmost reluctance they would say any thing in the least disagreeable to Tullus; but they must obey their orders. That they had come to demand restitution of goods; and if this should be denied, they were commanded to declare war." To this Tullus made answer, "Go tell your king, that the king of the Romans takes the gods to witness, which of the two nations

hath with contempt first dismissed the ambassadors demanding restitution of goods, that on it they may revenge all the mischiefs of this unjust war." The Albans sent home information of these things.

XIII. Both sides made all possible preparations for the war, which had very much the appearance of a civil one, in a manner between parents and children. They both derived their original from Troy; for from thence came Lavinium, from it Alba, and the Romans from the race of Alban kings. But the manner in which the war terminated made it less calamitous; for they never came to any action, and the two nations were united only by demolishing the houses of one city. The Albans first entered the Roman territories with a great army. They pitched their camp not more than five miles from the city and fortified it with a ditch, which for some ages, was called the ditch of Cluilius from the name of the general, until, in the course of time, the place and name were both forgotten. In that camp Cluilius, the Alban king, died; upon which the Albans created Mettius Fuffetius dictator. In the mean time, Tullus being much elated, especially on the death of the king, and spreading a report that the supreme god, who had begun at the head, would take vengeance upon the whole Alban nation for this unjust war, passed the camp of the enemy in the night time, and marched in an hostile manner into their territories. This made Mettius likewise leave his camp, who, approaching as near as he could to the enemy, sent an herald to inform Tullus, that an interview would be convenient before they should come to an engagement. If he would appoint a conference with him, he was certain he had matters to represent which equally concerned the interest of Rome and of Alba. Tullus, not slighting the motion, though he suspected it was made only to amuse him, drew out his men in order of battle, as did likewise the Albans. Both armies standing in battalia, the chiefs, with a few nobles advanced forwards between them. At this conference, the Alban dictator thus expressed himself: "Methinks I have heard our king Cluilius alledge, as causes of the present war, injuries done us by the Romans, and goods not restored according to treaties, when they were demanded: neither do I doubt, O Tullus, but you will urge the same things: yet were we to speak truth instead of using specious arguments, the true motive, which prompts two nearly allied and neighbouring nations to take up arms, is an ambition of sovereignty; whether justly or unjustly, I say not; let the first aggressor answer for that. The Albans have chosen me general for carrying it on. I would only have

you, Tullus, consider, how closely we both, but you more particularly, are hemmed in by the powerful state of Hetruria. But as you are nearer to it, you must be more sensible of the common danger. Its strength by land is considerable, and very mighty by sea. Be assured, that as soon as you shall give the signal for battle, our two armies will be an agreeable sight to them, who will fall both on the conquerors and conquered, wearied and spent with fighting against each other. Therefore, in the name of the gods, seeing we are not contented with certain liberty, but will run the risk of either sovereignty or slavery, let us agree on some expedient whereby it may be determined which shall reign over the other, without great mischief to, or shedding much blood of either nation." Tullus, though naturally inclined to war, and elated with the hope of victory, was not averse to the proposal. After deliberation on both sides a method to decide the contest was agreed to, and fortune pointed out the proper persons.

XXIV. It happened that there were in each of the two armies three brothers born at one birth of equal age and strength. It is very certain they were called Horatii and Curiatii; nor is there any action among the ancients, either more celebrated or better known; yet however distinctly the other circumstances of this story are related, a doubt remains concerning their names; to which nation the Horatii, and to which the Curiatii belonged. Authors are divided about it; yet I find the greater number agree, that the Horatii were on the Roman side. My inclination leads me to follow them. The kings dealt with the three brothers to decide the fate of their country in combat, assuring them, that the side which should gain the victory, should obtain the sovereignty of both nations. They readily consented, and the time and place were appointed. But before they engaged, a treaty, between the Romans and Albans, was agreed to on this condition: "That that nation, whose champions should come off conquerors in the combat, should peaceably reign over the other." Different treaties are made on different terms, but they are all concluded in the same general method. This is the most ancient treaty recorded in history, which was ratified in the following form: a *Fecialis* (*a*) asked king Tullus thus, "Do you command me, O king, to conclude a treaty with the pater patratus of the Alban people?" After the king gave him orders, he said, "I demand of thee, O king, vervain." To which the king replied, "Bring out some that is pure." The *Fecialis* brought some pure grass from the altar, and again asked the king, "Do you, O king, appoint me the royal ambassador of the Romans?"

Do you assign me equipage and a retinue?" The king answered, "What can be done without detriment to my right, or to that of the Roman people, I do." The Fecialis was M. Valerius, who appointed Sp. Fuscus pater patratus, touching his head and hair with vervain. The office of pater patratus (*b*) is to administer the oath, that is, to ratify the treaty, which he repeats in a long form of words, too tedious to be recited. After setting forth the conditions, he says, "Hear, O Jupiter, hear, O pater patratus of the Alban people, and ye Alban people hear. The Romans will not first break those articles which have been, from first to last, read out of waxed tables without deceit, and this day fully understood. If they, by public authority or fraud, shall first violate them, do thou, O Jupiter, in that day, so strike the Romans as I this instant strike this hog; and let thy stroke be proportionably heavier, as thou art more mighty and powerful." Having done this, he struck the hog dead with a flint stone. The Albans took the oaths, and ratified the treaty in form by their dictator and priests.

XXV. The treaty being concluded, the twin-brothers, as had been agreed, took their arms. Each side encouraged their own champions, by reminding them "that the gods of their country, their country and parents, all their fellow-citizens, both at home and in the army, under the greatest anxiety, had their whole dependance on their weapons and hands." They, naturally bold, and animated by these exhortations of their countrymen, advanced into the middle between the two armies, which stood before their several camps, rather out of danger for the present, than free from solicitude; for empire was at stake, and depended on the bravery and fate of so few. Therefore, being distracted between hope and fear, their attention was at that instant entirely fixed upon the disagreeable scene. The signal was given, and the champions, three of a side, animated with the courage of great armies, engaged with all the fury of mighty hosts. It was not their own particular danger, but public sovereignty or slavery, that presented itself to each of their minds; and the consideration that they were to decide the future fate of their country. But when, at the first encounter, the spectators heard the clashing of their arms, and saw the glittering of their burnished swords, they were seized with great horror; and, as neither side had greater ground of hope than the other, it was with difficulty they could either speak or breathe. But, on their coming to grapple hand to hand, when not only the motions of their bodies, and the brandishings of their dangerous weapons and arms, but the very



wounds and blood were seen, the three Albans were wounded, and two of the Romans fell and expired, the one above the other. At whose fall, while the Alban army shouted for joy, the Roman legions, though they had lost all hopes of victory, were yet under great concern for their surviving champion, whom the three Curiatii surrounded. As good luck would have it, he was not wounded; and though not able to fight all the three at once, was yet an overmatch for them singly. Therefore, in order to separate them, he retreated, being convinced that they would pursue him faster or slower as their wounds would permit. He had already run a considerable way from the place where they fought, when looking back, he perceived them following him at a great distance from one another. Observing one not far from him, he turned short on him with great fury; and, while the Alban army called out to the Curiatii to assist their brother, the victorious Horatius, having killed the first, was running to encounter the second. Then the Romans, with such shouts as are commonly made on success after despairing of victory, encouraged their champion, who made all possible haste to finish the combat: and, before the third, who was not far off, could come up, he dispatched the second. And now there remained but one champion on each side to decide the quarrel; but their strength and hopes were very unequal. A body free from wounds, and a double victory, encouraged Horatius boldly to encounter his antagonist; while he, dragging after him a body weakened with loss of blood, fatigued with running, and dispirited with the sight of his two brothers slain before his eyes, presented himself an easy prey to his victorious enemy. It could not be called a fight. The Roman in triumph said, "I have sacrificed two persons to the manes of my brothers; the third I will sacrifice to the decision of this war, and that the people of Rome may obtain the sovereignty over the people of Alba." And as he tottered under the weight of his arms, Horatius struck him on the throat, and stript him as he lay dead. The Romans, triumphing on account of the victory, received Horatius with hearty congratulations, and their joy was the greater, because they had almost despaired of success. They then prepared to bury their dead, but with very different hearts; for the one side was become sovereigns, and the other subjects of a foreign state. Their tombs remain in the place where each of them fell. The two Romans are buried in one nearer Alba, and the three Albans towards Rome, but as distant from each other as the places in which they fought.

XXVI. Before they left that place, Mettius, pursuant to the treaty which had been concluded, asked Tullus, what orders he would give him: the Roman king commanded him to keep the youth ready in arms, because he designed to employ them, if a war should break out with the Veientes. After this both armies returned home. Horatius marched foremost, carrying before him the spoils of the three Curiatii, and was met before the gate Capena (*a*) by his sister, a virgin who had been contracted to one of the Curiatii. She knowing her lover's military robe, which she had wrought with her own hands, tore her hair, and with bitter wailings called on her dead sweet-heart by name. The lamentation of his sister raised the indignation of the young man, elated with his victory and the great public rejoicings that had followed thereon. Therefore drawing his sword, he ran her through the body, at the same time chiding her severely. "Go hence, with thy unseasonable passion to thy lover, forgetful of thy dead brothers, and of him who is alive, forgetful of thy native country. And thus may every Roman woman perish, who mourns for the death of an enemy." This action seemed barbarous to the fathers and to the people; but the late glorious service Horatius had done his country screened him from punishment. Nevertheless he was arraigned before the king, who being unwilling to do a thing so odious and disagreeable to the people, as either condemning or after sentence punishing the criminal, summoned an assembly of the people and said, "I appoint Duumvirs (*b*) to judge the treason of Horatius according to law." The form of the law is terrible. "Let the Duumvirs judge the treason. If the criminal appeal from the Duumvirs, let his appeal be heard. If their sentence be confirmed, let him be hood-winked; let him be hanged upon an unlucky tree by a rope; let him be whipt either within or without the Pomœrium." By this law Duumvirs were appointed, who thought, that according to it, it was not in their power even to acquit an innocent person. Having therefore found him guilty, one of them pronounced sentence thus, "P. Horatius, I judge thee guilty of treason; go, executioner, bind his hands." The executioner came and was fastening the rope, when Horatius, by the advice of Tullus, a merciful interpreter of the law, called out, "I appeal." And upon this appeal the cause was tried before the people. In the trial the judges were moved with compassion, especially by P. Horatius the father, who cried out, that he deemed his daughter justly killed; had it been otherwise, he would have punished his son by virtue of his paternal authority. Then he intreated that they would not make him

childless, whom they had seen a little before blessed with so excellent a progeny. Upon this the old man, embracing his son, and pointing to the spoils of the Curiatii, fixed up in that place now called Pila Horatia (*c*), says, "Can ye, O Romans, look on him bound under a gallows amidst whips and tortures, whom you but lately saw in triumphant procession, adorned with the spoils of his enemies? A spectacle so shocking, that even the eyes of Albans could not endure it! Go, executioner, bind those hands which lately when armed purchased sovereignty for the Roman people! Go, hood-wink the deliverer of this city; hang him on an unlucky tree; whip him either within the Pomœrium (*d*), provided it be amongst these javelins, and the spoils of his enemies! or without the Pomœrium, if it be amidst the tombs of the Curiatii! For whither can ye lead this youth, where the honours he has achieved cannot protect him from so shameful a punishment?" The people could not withstand the tears of the father, nor the resolution of the son, so undaunted in all kinds of danger; and acquitted him more from admiration of his bravery, than from the justice of his cause. But that so notorious a murder might be in some manner expiated, the father was commanded to make satisfaction for the son at the public charge. He, having offered certain expiatory sacrifices, which were ever after continued in the Horatian family, and set up a gallows in the highway, made his son pass under it as under a yoke (*e*) with his head covered. The gallows remains even at this day, being constantly repaired at the expence of the public, and is called Sororium Tigillum (*f*). A tomb built with square stones was erected to Horatia in the place where she was stabbed and fell.

XXVII. The peace made with Alba did not long continue. The murmurs of the populace, because the fate of their state had been hazarded on three soldiers, debauched the fickle temper of the dictator; and seeing wholesome councils had not succeeded, he began to conciliate to himself their affections by perfidious designs. Therefore as he had first sought peace when he was engaged in war, so now when he enjoyed it, he longed for war; and observing that his own city had more courage than strength, he stirred up other nations to commence open hostilities, reserving to his own to act the part of traitors under the disguise of allies. The Fidenates, a Roman colony, having communicated their design to the Veientes, under promise of being joined by the Albans, were induced to declare war, and take up arms. When Fidenæ had openly revolted, Tullus, sending for Mettius and his army from Alba, marched against the enemy. Having

passed the Anio (*a*), he encamped at the conflux of the two rivers. Between that and Fidenæ, the Veientes had passed the Tiber. They drew up in order of battle on the right wing near to the river, and the Fidenates were posted on the left nearer the mountains. Tullus opposed his own men to the Veientes, and the Albans he set against the army of the Fidenates. The Alban general having as little courage as honour, and not daring either to stay, or openly to go over to the enemy, gradually withdrew to the hills. When he thought he had proceeded far enough, he posted his army on a rising ground, and being in suspense what resolution to take, to waste time, he widened their ranks. His design was to take part with the conquerors. The Romans, who stood next them, were at first amazed, when they saw their flanks left exposed by the drawing off their allies. Then a trooper came at full gallop to inform the king, that the Albans were moving off. Tullus, in this dangerous juncture, vowed twelve Salii to Mars, and temples to Fear and Paleness. And calling aloud to the trooper, that the enemy might hear, ordered him to return to the battle, saying, "There was no ground of fear; that by his order the Alban army was marching round to fall on the unguarded rear of the Fidenates." He likewise commanded him to order the cavalry to carry their spears high, by which expedient the greatest part of the Roman foot were prevented from seeing the motion of the Alban army. Those who saw it, believing what they had heard the king say, fought with the greater ardour. The panic left the Romans and seized the enemy as soon as they heard what the king pronounced so audibly, for great part of the Fidenates, being a colony sent from Rome, understood Latin. Therefore, that their retreat to the town might not be cut off by a sudden descent of the Albans from the hill, they turned their backs. Tullus pursued, and having routed that wing in which were the Fidenates, returned with greater fury against the Veientes disheartened by the defeat of their allies: nor were they able to sustain his charge; but the river which was behind them prevented a general rout. When they fled that way, some, shamefully throwing down their arms, rushed blindly into the river; others, while they hovered on the banks, considering whether they should fight or fly, were killed. The Romans had never fought a more bloody battle.

XXVIII. Then the Alban army, that had been spectators of the fight, descended into the valley. Mettius congratulated Tullus on his defeat of the enemy, while Tullus on his part treated Mettius with great civility. He ordered the Albans and

Romans to encamp together, which he prayed might be beneficial to both, and prepared a purging sacrifice (*b*) against next day. As soon as it was light, and all things were in readiness, according to custom he commanded both armies to be assembled. The heralds, beginning at the utmost line, called the Albans first, who, eager to hear what they had never heard before, a Roman king harangue, crowded next to him. The Roman army by concert surrounded them; and the Centurions had it in charge to execute their orders without delay. Then Tullus spoke as follows: "If ever, O Romans, in any battle you had more than ordinary reason to be thankful in the first place to the immortal gods, and then to applaud your own valour, it was in that of yesterday. An action more considerable, and attended with greater danger, as you had to do not more with enemies, than with perfidious and treacherous allies: for, to undeceive you, the Albans retired to the hills without my orders. It was not my command, but a stratagem; and I only gave it out so, that you, still ignorant of your being deserted, might not be discouraged from fighting, and that your enemies, terrified at the thoughts of being surrounded, might turn their backs. Nor do I charge all the Albans with this crime; they only followed their general, as you would have done, had it been my pleasure to have drawn off from thence to another place. It was Mettius, that same Mettius, author of the present war, and infringer of the peace between the Romans and Albans, who led them in this retreat. Let any one for the future attempt the like villainy, if I do not make him a remarkable monument to all men." The armed Centurions hemmed them close in, while the king continued his speech. "My purpose is, and may it prove fortunate and auspicious to the Roman people, to myself, and to you, O Albans, to transplant all the inhabitants of Alba to Rome: to grant your people the rights of citizenship, and to admit your nobles into the rank of senators; to make one city, one republic: that as the Alban state was formerly divided, it may again be made one." On hearing this, the Alban youth, defenceless, surrounded by armed men, divided in their opinions, and terrified at the common danger, stood mute. Then Tullus proceeded; "If, O Mettius Fuffetius, it had been possible for you to have learned honour, and to observe treaties, you might have lived and learned of me. But now, since your spirit is incorrigible, you shall, in your death, set mankind a lesson of the sanctity of those treaties which you have violated. As therefore your heart lately fluctuated between the states of Fidenæ and Rome, so now your body shall be torn asunder." Then,

having brought for the purpose two chariots drawn by four horses, he fastened Mettius, stretched at full length, to their wheels, and immediately driving the horses contrary ways, each chariot dragged after it such members of his body as were tied to it. The spectators, not able to behold this shocking sight, turned away their eyes. This was the first and last instance of a punishment inflicted by the Romans inconsistent with the laws of humanity: on all other occasions they may boast, that no nation ever used less severity in punishments.

XXIX. In the mean time the horse were detached before to Alba, to transplant the people to Rome, and after them the foot marched to demolish the city. Their entry into it was not attended with such confusion and terror as is usual at the taking of towns, where, after breaking the gates, levelling the walls by battering rams, or taking a citadel by storm, the shouts of the enemy, and running of armed men through the town, spread fire and sword every where; but a mournful silence and sullen grief so seized the hearts of all, that, through fear, forgetting what they should leave, or what carry away with them, without counsel, and often asking one another questions, they sometimes stood in their doors, and sometimes roved up and down their houses, which they were to see no more. But no sooner did the voice of the horsemen, commanding them to be gone, hurry them away, than the crash of the houses, which were demolishing, was heard from the most distant parts of the city, and the dust, rising in different places, covered every thing like a cloud. Then every one snatching up what he could, left his household gods, his country gods, and those very roofs under which he had been born and educated. A continued train of those who were removing, covered the streets, and their tears were renewed at the sight of one another, through mutual sympathy. Doleful shrieks, especially of the women, were heard as they passed by their magnificent temples, beset with armed men, and left their gods, as it were, prisoners. As soon as the Albans had evacuated their city, the Romans levelled all, both public and private buildings, with the ground, and in one hour demolished and razed what had been the work of four hundred years, for so long had Alba stood. But the temples were spared by the express order of the king.

XXX. The demolition of Alba, in the mean time, became a considerable accession of greatness to Rome. The number of citizens was doubled. Mount *Cœlius* (*a*) was added to the city, and, in order to fill it with inhabitants, Tullus built a palace, and ever after lived there. Likewise, to augment the order of senators,

he admitted into it the principal of the Alban families, the Julii, Servilii, Quinctii, Geganii, Curiatii, and Clælii. Upon this addition to the order, he built a temple for a senate-house, which bore the name of Hostilia, even in the days of our fathers. And that every rank might acquire some additional strength from the new people, out of them he formed ten centuries of knights; with them he likewise recruited the old, and raised new legions. He therefore, confiding in this reinforcement, declared war against the Sabines, at that time the most powerful and warlike of all their neighbours, except the Hetrurians. Injuries had been done by both sides, and satisfaction demanded in vain. Tullus complained of the seizing some Roman merchants, at a free mart held near the temple of the goddess Feronia (*b*); as did the Sabines, of their people being detained at Rome, notwithstanding they had taken refuge in the asylum. These injuries were given out to be the causes of the war. The Sabines reflecting, that Tatius had incorporated part of their force with Rome, and also upon the late accession of strength to that state, by transplanting the Albans thither, likewise looked out for foreign aid. The Hetrurians bordered upon them, and of these the Veientes were their nearest neighbours. From thence they drew such volunteers as still retained a keen resentment of the former wars, and were eagerly disposed for a revolt. They also hired vagabonds, and some of the poorer sort of people, to list in their service; but they had no assistance from the state: for the Veientes strictly observed the treaty formerly concluded with the Romans; and as to the other nations, it is less surprising that they took no part with them. After both sides had made all possible preparation for war, and nothing seemed to remain but who should strike the first blow, Tullus was beforehand with them, and marched into their country. They fought a bloody battle near the forest of the Malefactors (*c*), in which the Roman army was far superior, not only by the strength of their foot, but also by the late augmentation of their horse. The Sabine ranks were first broken by a vigorous charge of the Roman cavalry, nor could they afterwards either fight or fly, without exposing themselves to be slaughtered by the enemy.

XXXI. After this defeat of the Sabines, when the administration of Tullus was in high renown, and the Roman state in a very flourishing condition, word was brought to the king and senate, that it rained stones on mount Alba. As they could scarcely give credit to the report, they sent proper persons to inquire into the prodigy, who saw them fall thickly from heaven, like hail-stones

which the winds drive in round balls along the ground. Besides they imagined that they heard a loud voice from the grove on the summit of the hill, requiring the Albans to perform their religious service according to the rites of their native country, which they had forgotten, as if they had relinquished their country and their gods at the same time, and either conformed to the religion of Rome, or enraged at their ill destiny, utterly renounced the worship of the gods. The Romans on account of this prodigy, either in obedience to the heavenly voice which they had heard from mount Alba, for this reason is assigned; or by the advice of the *Haruspices* (*a*), also instituted an expiatory sacrifice for the space of nine days. This much is certain, that as often as the city was alarmed with the same prodigy, nine days were yearly employed in such expiations. Not long after the pestilence raged among them. Though it checked their military ardour, yet their warlike king gave them no respite from arms, convinced that action contributed more to the bodily health of the youth, than loitering at home; till at length he himself was seized with a lingering distemper. His great spirit sunk so much at the same time with his body, that he who till then thought nothing more unbecoming the dignity of a monarch, than a mind addicted to the observance of religion, of a sudden gave himself up to superstition in every instance great and small. He is likewise said to have infected the people with it. For the generality, loudly demanding that affairs should be restored to the same state which they had enjoyed under king Numa, believed there was no other relief for their diseased bodies, than obtaining peace and pardon from the gods. It is given out, that the king finding, as he searched the register of Numa, that certain private sacrifices had been yearly offered by him to Jupiter Elicius, shut himself up to perform the same; but either they were unseasonably begun, or not regularly offered; for he not only saw no celestial apparition, but Jupiter was so provoked at his mistaken zeal, that he consumed both him and his house with lightning. Tullus reigned two and thirty years, and had the character of an excellent soldier.

XXXII. Upon the death of Tullus, the government, according to the original institution, returned into the hands of the fathers; who having named an interrex, and he assembled the comitia, the people elected Ancus Marcius king. The fathers confirmed the election. He was the grandson of Numa Pompilius by his daughter. As soon as he ascended the throne, reflecting on the renown of his grandfather, and the administration of the former king, glorious in every respect excepting this, that religion had



either been utterly neglected, or not performed according to due rites; and intending to restore the ancient institutions of Numa, commanded the high priest to collect them out of that king's register, and transcribe them into tables to be exposed to the view of the people. His own subjects, enamoured with ease, and likewise the neighbouring nations, from hence entertained great hopes, that he would fall into the conduct and customs of his grandfather. In this confidence the Latines, with whom Tullus had concluded a treaty, took courage, and made an incursion upon the Roman lands; and when the latter demanded satisfaction, returned them a contemptuous answer, thinking their indolent king would devote his whole reign to chapels and altars. As Ancus in his natural temper resembled both Romulus and Numa, he was equally disposed either for peace or war. And besides that he deemed pacific measures were more necessary in the reign of his grandfather, when the people were but newly settled, and of a martial temper; he likewise considered, that he could not enjoy that peace which Numa had, without exposing himself to insults; that his patience had been tried, and on the trial derived on him contempt; that the present times required rather a martial Tullus than a pacific Numa. Yet as Numa had, in peace, instituted religious rites, so he, after his example, would establish military regulations, whereby war should not only be carried on; but declared in proper form. He copied, from the ancient *Equicolæ*, (*b*), that form which the *feciales* in our days observe, when they demand satisfaction for injuries. The *fecialis* when he comes to the frontiers of that people of whom satisfaction is to be demanded, having his head covered with a woollen cap, says, "Hear, O Jupiter, hear, O confines, (naming the nation they belong to) let justice hear. I am a public messenger of the Romans; I come with a just and pious commission, and let my words gain credit." Then after mentioning his demands, he makes a solemn appeal to Jupiter. "If I unjustly or impiously demand those persons and these goods to be given up to me, the messenger of the Roman people, then never permit me to return to my native country." These words he repeats when he comes to their frontiers, to the first man he meets, at his entering the gate of their city, and at his going into the market-place, varying some few words in the form of the speech and oath. If those persons whom he demands are not delivered up before the expiration of thirty-three days, for this was the time limited, he declares war in form as follows: "Hear, Jupiter, and thou Juno, thou Romulus, and all ye celestial, terrestrial, and infernal gods, give ear! I call you to witness,

that this nation (naming it) is unjust, and acts not according to the laws of equity ; but we will consult the fathers in our own country, concerning these matters, and by what means we may obtain our right." After that he returns to Rome for advice, and the king immediately consults the fathers almost in the following words: " Concerning such matters, differences, and quarrels, as the Roman pater patratus, in behalf of the Roman people, hath declared to the pater patratus of the Ancient Latines, and such things as ought by the Ancient Latines to have been yielded, granted, and performed, and which they have neither yielded, granted, nor performed, What think you ?" addressing himself to the first whose opinion he asked ; who answered, " I think these things ought to be demanded by open and just war ; for this I declare, and for this I vote." Then others were asked in order, and when the majority of those present agreed in the same opinion, the war used to be unanimously concluded on. In consequence of this resolution, the *fecialis* used to carry in his hand a javelin headed with iron, burnt at the end, and dipped in blood, to the confines of the enemy's country, and pronounced the following prescribed form of words in presence of at least three persons, not under fourteen years of age. " On account of the injuries and damages done to the Roman people, by the people of the Ancient Latines, and because the Roman people have commanded war to be made upon the Ancient Latines, and the senate of the people of Rome hath voted, agreed, and determined, that war should be denounced against the Ancient Latines, I and the people of Rome solemnly proclaim and begin it." After he had gone through this form, he threw a dart upon the enemy's lands. In this manner was restitution at this time demanded of the Latines, and war proclaimed against them, and this ceremonial posterity adopted.

XXXIII. Ancus entrusting the care of sacred things to the flamines and priests, levied a new army, and marching against Politorium (*a*), a city of the Latines, took it by storm. After the example of former kings, who had enlarged the Roman state by taking their enemies into the city, he transplanted all the people to Rome. And seeing the ancient Romans inhabited round the Palatine hill, the Sabines in the Capitol and castle, and the Albans filled mount Coelius, the Aventine was assigned to the new people, whose number was soon after encreased upon the taking of Tellenæ and Ficana (*b*). After this Politorium was reduced a second time by force of arms, because the ancient Latines had taken possession of it when desolate. The Romans therefore demolished it, to prevent its being ever after a place of refuge to the enemy. At last,

when the whole war with the Latines was confined to Medullia; they fought there with various fortune, sometimes the one and sometimes the other gaining the victory: for the town was both well fortified and defended by a strong garrison, and the Latines being encamped in the open fields, had several times joined battle with the Romans. At last Ancus, mustering all his forces, obtained a complete victory over them in a pitched battle, and having thereby acquired a considerable booty, returned to Rome. At this juncture many thousands of the Latines were admitted into the city, to whom, in order to join the Palatine and Aventine hills, he assigned habitations near the temple of Murcia (*c*). Janiculus (*d*) was likewise added, not for want of room, but lest at any time it should become a lodgment for the enemy. He thought proper to join it to the city, not only by a wall, but likewise, for the sake of an easy communication, by a wooden bridge (*e*), which was the first built across the Tiber. The Fossa Quiritium, a good defence against the easy access to the city from the low grounds, was the work of this king. Upon this great addition to the state, as the people were very numerous, and it being difficult to distinguish good from evil actions, many secret villanies were committed. In order to check the growing licentiousness, he built a prison in the heart of the city, overlooking the forum. Nor was the city only enlarged under Ancus, but even its lands and territories. The forest Mœsia (*f*) was taken from the Veientes, and the Roman domain extended to the sea. He built the city Ostia (*g*) at the mouth of the Tiber, dug the salt-pits about it, and after extraordinary success in war enlarged the temple of Jupiter Feretrius.

XXXIV. In the reign of Ancus, there came to settle at Rome, one Lucumo, a rich and active man, prompted chiefly by the hopes and strong desire he had of obtaining honours and preferment there, which he could not attain to at Tarquinii (*a*), the city where he was born, because his parents were foreigners. He was the son of Demaratus, a Corinthian, who, flying his country for sedition, had happened to settle at Tarquinii, and having married a wife there, had two sons by her. Their names were Lucumo and Aruns. Lucumo, surviving his father, became heir to all his estate. Aruns died before his father, leaving a wife with child. The father did not long survive the son, and as he knew not that his daughter-in-law was pregnant, died without making any provision for his grandchild in his will. The boy that was born after the death of his grandfather, as he had no share in his fortune, was, on account of his poverty, called Egerius (*b*). Lu-

cumo, on the other hand, sole heir of all his father's fortune, as riches inspire pride, became more ambitious upon marrying Tanaquil, a lady of great distinction, and who could not easily brook that the quality of her husband should be inferior to that of the family from which she was descended. As the Heturians despised Lucumo, because his father was a foreign exile, she could not bear the affront, and, regardless of the innate love of her native country, provided she might see her husband advanced to honours, resolved to leave Tarquinii. Rome seemed to be the fittest place for her purpose. She said, that in this state lately founded, where all nobility is of fresh date, and the reward of merit, there would be room for her husband, a man of courage and activity, to expect preferment. That Tatius, a Sabine, had been king of Rome; that Numa had been sent for from Cures to reign there; that Ancus had a Sabine for his mother, and could only shew the single statue of Numa for his nobility. By these discourses she easily persuaded him, who was naturally ambitious, and only attached to Tarquinii because his mother had been born in it, to remove to Rome with all his effects. They happened to come to the Janiculum: there, as he sat in the chariot with his wife, an eagle, suspended on her wings, gently stooping, took off his cap, and flying round the chariot with great noise, as if she had been sent from heaven for the very purpose, orderly replaced it on his head, and then flew aloft. Tanaquil is said to have received this omen with great joy, being a woman well skilled, as the Heturians generally are, in celestial prodigies, and embracing her husband, bade him hope for great honours and preferment. She assured him, "That that bird had come from a particular quarter of the heavens, and was the messenger of Jupiter; that it had taken the omen from the highest part of man; that it had lifted the ornament off his mortal head, to place it on the same, by the command of the god." Reflecting on what had happened, and filled with mighty hopes, they entered the city, and having purchased a house there, he assumed the name of Lucius Tarquinius Priscus. As he was a stranger, and very rich, he was soon taken notice of by the Romans. He likewise promoted his own good fortune by his affability and kind invitations, and gained the favour of as many as he could by doing them all manner of good offices. His behaviour was such, that his fame soon reached the court, where, by discharging his duty about the king with generosity and address, he soon became intimate with him, and improved this intimacy so far, that he was made his confidant, and was present at all public and private

councils, relating either to peace or war. And having on all occasions given proofs of his ability and integrity, at last the king in his will appointed him guardian to his children.

XXXV. Ancus reigned twenty-four years, and was not inferior to any of the former kings in the arts of peace and renown in war. His sons were nearly fourteen years old, which made Tarquin summon the comitia for the election of a king with the utmost expedition. After he had called an assembly of the people, he sent the boys a hunting, at the time of their meeting. He is said to be the first who earnestly sued for the crown, and to have made a speech composed on purpose to gain the hearts of the people. "That he did not aim at any thing that was uncommon, or without precedent; and that nobody could be offended or surprised at it; for he was not the first, but the third foreigner who had aspired to the crown of Rome. That Tatius, though not only an alien, but even an enemy, was made king. Numa, who was unacquainted with the constitution of the city, and without soliciting it, had been invited by them to take upon him the government. That as soon as he was at his liberty, he had come to Rome with his wife and whole fortune, and had there spent a greater part of that age in which men are employed in civil offices, than in his native country. He had, both in peace and war, thoroughly learned the Roman laws and religious customs, under a most excellent master, king Ancus. He had vied with all in duty and loyalty to his prince, and even with the king himself in his bounty to others." While he was recounting these undoubted facts, the people, by a great majority, elected him king. The same ambition which had prompted Tarquin, who was otherwise an excellent man, to aspire to the crown, did not leave him after he obtained it: and being no less careful to establish his own authority, than to improve the commonwealth, he created a hundred new senators, who from that time were called *Senatores Minorum Gentium* (*a*), and were a party always sure in that king's interest, by whose favour they had been advanced to that dignity. The first war he made was with the Latines, from whom he took Appiolæ (*b*) by storm, and bringing back more booty than could have been expected in such an inconsiderable war, he celebrated his games with more cost and magnificence than the former kings. The place for the circus, which is now called *Maximus* (*c*), was then first marked out, and places were allotted for the senators and knights, where they might erect galleries for themselves. These galleries were called *fori*. They stood to see the games on scaffolds, raised twelve feet from the ground,

supported by forked posts. The games consisted in horse-races, and boxing by champions generally brought from Etruria. From this time they were performed every year with great solemnity, and were otherwise called the Roman and Great Games. The king likewise gave the ground round the forum to private persons to build on, and there they erected shops and piazzas.

XXXVI. He was preparing to enclose the city with a stone wall, when a Sabine war obstructed his designs. It broke out so suddenly, that the enemy had passed the Anio, before the Roman army could meet and stop them, which greatly alarmed the city. In the first battle many were slain on both sides, and the victory disputed. After this the forces of the enemy retired into their camp, and the Romans gaining time to make new levies for the war, Tarquin, thinking that the weakness of his army lay in the want of horse, determined to add other centuries to the Ramnenses, the Tatienses and Luceres which Romulus had appointed, and to distinguish them by his own name. Because Romulus had done this by augury, Accius Navius, at that time a celebrated sooth-sayer, insisted that no alteration or new appointment of that kind could be made, unless the birds approved of it. The king enraged at this, and, as it is said, ridiculing the art, says, "Come, thou diviner, tell me, whether what I am thinking on can be done or not?" When he had tried the thing by divination, he affirmed it could certainly be done. "I was thinking," replied the king, "whether you could cut asunder this whetstone with a razor. Take them and perform what thy birds foretel may be done." Upon this, as it is reported, he immediately cut the whetstone into two. A statue of Accius (*a*), with his head veiled, was erected in the comitium (*b*), upon the stairs on the left of the senate-house, the spot where the thing was done. It is likewise pretended, that the whetstone (*c*) was deposited in the same place, that it might remain a monument of that miracle to posterity. It certainly derived so much honour to augury and the college of augurs, that nothing was undertaken either in peace or war without consulting the auspices. Assemblies of the people were dismissed, armies, after they were levied, disbanded, and affairs of the greatest importance delayed, when the birds would not allow it. Nor did Tarquin then make any other alteration in the centuries of horse, except doubling the number of men in each of these corps, so that the three centuries consisted of one thousand eight hundred knights. The newly added were incorporated under the same names with the former; which, now that their number is doubled, are called six centuries.

XXXVII. Having augmented this part of his forces, he fought a second battle with the Sabines. But, besides, that the Roman army was thus reinforced, they slyly had recourse to a stratagem; persons were sent to set fire to a great quantity of timber, lying on the banks of the Anio, and then throw it into the river. The burning wood, driven by the wind, caught hold of the piles and boats (*a*), and set the bridge in a flame. This accident damped the Sabines in time of battle, and after they were routed, hindered their flight; so that many, who had escaped the enemy, perished in the river. Their arms floated down the Tiber, and being known at Rome, ascertained the victory, before any account of it could be brought by the courier of the king. The chief glory of this action was due to the cavalry; for being posted in the two wings, when the infantry, which composed the main body of their own army, gave way, it is said, they charged so briskly in flank, that they not only stopped the Sabine legions who pressed hard on those who retired, but quickly put them to flight. The Sabines fled with great precipitation to the mountains, yet few reached them; for, as we said before, the greatest part was pushed by the horse into the river. Tarquin thinking it advisable to pursue the enemy closely while they were in this consternation, after sending the prisoners to Rome, piling up and burning the spoils which he had vowed to Vulcan, advanced with his army into the Sabine territories. Though the Sabines had been very unsuccessful, and could not hope for better fortune, yet as the approach of the enemy allowed them no time to deliberate, they advanced to meet him with an army raised in haste. They were again defeated, and being reduced to the last extremity sued for peace.

XXXVIII. Collatia (*a*) and all the land about it was taken from them, and Egerius the nephew of the king left there with a garrison. I find it upon record, that the people of Collatia surrendered, and that the form of the surrender was as follows: the king asked them, "Are ye ambassadors and deputies sent by the people of Collatia to surrender yourselves and them?" "We are." "Are the people of Collatia their own masters?" "They are." "Do ye surrender yourselves and people of Collatia, their city, lands, water, boundaries, temples, utensils, and every thing sacred or profane belonging to them, into my power, and the hands of the Roman people?" "We do." "And I receive them," says the king. The Sabine war being ended, Tarquin returned in triumph to Rome. He then made war upon the Ancient Latines, who did not venture a general battle with him; yet by carrying his arms against their towns one after another, he subdued all the na-

tion. The cities of Corniculum, old Ficulnea, Cameria, Crustumerium, Ameriola, Medullia, and Nomentum (*b*), were either taken from the Ancient Latines, or from those who had revolted to them. Upon this a treaty ensued; after the conclusion of which he set about the works he had begun in time of peace with greater vigour than he had carried on the war; insomuch that the people enjoyed no more ease and quiet than they had done in the field: for he prepared to surround the city with a stone wall, on the side where he had not fortified it; the beginning of which work had been interrupted by the Sabine war. Because it was difficult to carry off the water from the flat grounds, he drained the low places of the city about the forum (*c*), and the other vallies, lying between the hills, by common sewers (*d*) which were carried sloping into the Tiber. Moreover he levelled an area for founding a temple to Jupiter in the capitol, which he had vowed to him in the Sabine war; his mind even then presaging the future grandeur of the place.

XXXIX. At that time, a prodigy that was both wonderful in its appearance, and surprising in its consequences, happened in the palace. It is said, that the head of a boy, called Servius Tullius, was seen by many by-standers surrounded with a flame as he lay fast asleep. The noise was so great, upon seeing this strange sight, that the royal family was awaked. The queen stopped one of the servants who was bringing water to extinguish the flame; and after the confusion was over, forbade them to disturb him, till he should awake of his own accord. As soon as he awoke, it disappeared. Then Tanaquil, taking her husband into a private place, says, "Do you observe this boy whom we bring up in so mean a manner? I would have you know for certain that he will be a light and a guide to us in our adversity, and a protector to our royal family in distress. From henceforth let us, with the utmost care, train up this youth, who is capable of becoming the greatest ornament to the public and to us." From this time the boy was treated as their own son, and instructed in those sciences whereby great souls are excited to aim at an elevated fortune. This prediction was easily accomplished, because it was agreeable to the pleasure of the gods. The young man displayed a disposition truly worthy of a king. Nor, when they sought a son-in-law to Tarquin, could any of the Roman youth be compared to him in any accomplishment; and therefore the king gave him his daughter in marriage. For whatever reason this great honor was conferred upon him, it leaves us no room to believe that he was either born of a slave, or was himself a slave in his infancy. I am rather of their



opinion who say, that upon the taking of Corniculum, the wife of Servius Tullius, who was the chief man in that city, was left with child when her husband was killed, and known among the rest of the prisoners: that the Roman queen, solely on account of her quality, rescued her from slavery: she lay in at Rome in the palace of Priscus Tarquinius: and afterwards, on account of his great favour, the two ladies contracted an intimate friendship; and that the boy, being brought up at court from his infancy, had been highly beloved and esteemed there; that the fortune of the mother, who, upon the destruction of her native country, fell into the hands of the enemy, gave rise to the story of his being born of a slave.

XL. About the thirty-eighth year of Tarquin's reign, Servius Tullius was in the highest favour not only with the king, but also with the senators and people. But the two sons of Ancus, though their resentment was formerly raised to a very high pitch, upon seeing themselves deprived of their father's kingdom by the fraud of their guardian, and the supreme power in Rome lodged in the hands of a foreigner descended of no family belonging to that state, nor even within the bounds of Italy; yet they thought the affront would be still more intolerable, if the kingdom, instead of returning to them, should after the death of Tarquin come immediately into the hands of a slave: and that one, who was not only a slave himself, but whose mother was a slave (*a*), should enjoy the sovereignty in the same state, where, about an hundred years before, Romulus, of divine descent and himself a god, had swayed the sceptre so long as he lived on this earth. They considered it as a reproach to the Roman name, but especially to their family, that, while the male issue of Ancus remained, not only foreigners, but even slaves should be raised to the Roman throne. They therefore resolved to employ their swords to prevent that disgrace. But as their sense of the injury done them excited their indignation against Tarquin more than against Servius, they likewise foresaw, that if they should suffer him to live, the revenge of a king would be more severe than that of a private man; and after taking off Servius, it was probable he would adopt for his successor, in the kingdom, whomsoever he should chuse for his son-in-law. Upon all these considerations, the plot was laid against the king himself. Two of the most resolute of all the shepherds, chosen for executing their cruel design, and armed with such iron instruments as they used in husbandry, under pretence of a quarrel, made as great a noise as they could at the gate of the palace, and thereby drew all the king's officers about them. As both appealed to the king, and

their clamour was heard over all the palace, they were called before him. Upon their first appearance they bawled out both at once, striving to interrupt one another with their noise ; but when checked by the lictor, and ordered to speak by turns, they ceased railing. Then one of them according to concert began to tell his story, and while the king was steadfastly looking upon him, the other lifting up his hatchet struck him on the head, and leaving it in the wound, both of them made the best of their way out of doors. Those who were present took up the king ready to expire, and the lictors seized the assassins endeavouring to make their escape. This occasioned a noise, and the people flocked together in great numbers, wondering what it was.

XLI. Tanaquil, during the confusion, put out all that were present, and ordered the palace gates to be shut ; and, as if she had entertained hopes of her husband's recovery, carefully prepared every thing proper for the cure of the wound : but in case her hopes should be disappointed, she thought on other means of securing herself. Therefore, sending in haste for Servius, she shewed him her husband, almost without any signs of life, and, taking him by the right hand, conjured him, not to let the murder of his father-in-law go unrevenge, nor his mother-in-law be exposed to the insults of her enemies. " The kingdom is yours, Servius," said she, " if you act like a man of resolution ; not theirs, who by the hands of ruffians have committed the worst of crimes. Take courage, follow the direction of the gods, who, by spreading a divine flame round this head, have foretold, that it shall one day appear in the world with great lustre : let this celestial flame now rouse you ; awake now in earnest. We that were strangers have enjoyed the sovereign power here. Consider who you are, and not of whom you were born. If you are at a loss how to act by reason of this sudden accident, follow my advice." The palace of king Tarquin being very near the temple of Jupiter Stator (*a*), when the noise and pressure of the people became intolerable, Tanaquil addressed them from one of the windows, which opened to the new way, bidding them, " Be of good courage, for the king was not dead, but stunned by the sudden blow he had received. The hatchet had not penetrated far into his body, and he was already come to himself. Now that the wound was searched, and the blood washed away, all symptoms appeared favourable, and she hoped they would see him very soon. In the mean time, he ordered them to obey Servius Tullius, who would administer justice to them, and perform every other part of the regal office." In consequence of this declaration, Servius went

abroad, attended by the lictors, clothed in royal robes (*b*), and sitting on the throne, finally determined some causes, pretending to reserve others till he should have an opportunity to consult the king about them. Thus the death of Tarquin being concealed for some days, Servius, under pretext of supplying his place, found means of strengthening his own interest. And when it was thought proper no longer to suppress it, and the lamentations began in the palace, he placed a strong guard about himself, being the first who was advanced to the throne by the senators, without the consent of the people. The sons of Ancus, hearing that the assassins, whom they had employed, were seized, that the king was still alive, and the party of Servius so very considerable, retired into voluntary banishment to Suessa Pometia (*c*).

XLII. Nor did Servius only strengthen his interest by the management of public affairs, but also by his private conduct; and, lest the sons of Tarquin should be inflamed with the same resentment against him which the sons of Ancus had entertained against Tarquin, he gave his two daughters in marriage to the two young princes, Lucius and Aruns Tarquins: yet human prudence could not prevent the unalterable decrees of fate, nor screen him from the envy attending a crown, which raised against him the blackest treasons and the bitterest enemies, within his own house. Very seasonably for his present quiet, the truce with the Veientes being expired, war was declared against them and the other nations of *Hetruria*. In this war the bravery, as well as good fortune of Tullius, appeared to great advantage; for having routed the numerous army of the enemy, he returned to Rome, established in his kingdom by the affections both of the senate and people. He afterwards entered upon a work of peace, of all others the most important; that as Numa had been the founder of religious institutions, posterity might have reason to celebrate Servius as the author of the several orders and ranks in the state, whereby the different degrees of dignity and fortune are distinguished from one another. For he appointed the Census (*a*), an institution of the greatest service to an empire, which was likely to arrive at such a pitch of grandeur, because by means of it, the charges of peace and war were not borne equally by every particular person, as in former times, but levied according to the value of their estates. By this census he divided the people into classes and centuries, a regulation very proper both for peace and war.

XLIII. Of those who had an estate of a hundred thousand asses (*a*) or more, he created eighty centuries, forty of aged citizens and forty of young men. All these were called the first class,

and were appointed, the aged to guard the city, and the young to fight abroad. The arms assigned to them were a helmet (*b*), a round shield (*c*), greaves (*d*), and a coat of mail (*e*), all of brass, for the defence of their body, and a spear (*f*) and a sword (*g*) to annoy the enemy. To this class were added two centuries of mechanics, who were to serve without arms, and to be employed in carrying the military engines. The second class comprehended all those whose estate was from seventy-five (*h*) to a hundred thousand asses, and formed twenty centuries of old and young citizens. To them he assigned an oblong shield (*i*) instead of a round. Their other arms, the coat of mail excepted, were similar to those of the first class. He appointed the third class to consist of those whose estate amounted to fifty thousand asses (*k*), and they were divided into as many centuries, and distinguished with respect to their age in the same manner as the former, nor was there any difference in their arms, but that this class had no greaves. The fourth class, consisting of those whose estates extended to twenty-five thousand asses (*l*), was divided into as many centuries, but their arms were different, this class being allowed only a spear and a long javelin (*m*). In the fifth class the number of centuries was increased to thirty, armed with slings and stones. Among them were reckoned the accensi (*n*), the blowers on the horn, and the pipers, divided into centuries. This whole class consisted of those whose estate amounted to eleven thousand asses (*o*). The sixth comprehended all the poorer citizens, whose estates were below this sum, and of them one century was formed which was exempted from serving in war. Having thus divided and armed the infantry, he levied twelve centuries of knights from among the chief men of the state, and to the three centuries, appointed by Romulus, he added other six under the same names, which they received at their first institution. Ten thousand asses (*p*) were given to them from the public revenue, for the purchase of horses, and widows were assigned them, who paid two thousand asses (*q*) yearly for their subsistence. All these burdens were in a great measure taken off the poor and laid upon the rich. And that they might bear them the more patiently, an additional honour was conferred upon them; for they did not now vote by poll, according to the institution of Romulus, which his successors had observed; nor were their suffrages of equal weight, but a subordination was established, that none might seem to be excluded from the right of voting, and yet the whole power might reside in the chief men of the city. For the knights were first called, and then the centuries of the first class; and if they hap-

pened to differ, which was seldom the case, those of the second were called: and they seldom ever descended so low as to the last class. Nor need we be surprised, that the present regulation, since the tribes were increased to thirty-five, should not agree with the number of centuries of young and aged citizens instituted by Servius Tullius, they being now double what they were at that time. For, having divided the city into four parts, according to the regions and hills which were then inhabited, he called these divisions tribes, in my opinion, from the tribute which they paid: for he likewise appointed the method of levying taxes, according to the value of estates; nor had these tribes any relation to the number and division of the centuries.

XLIV. Having completed the census, which the dread of the law, that was made against those who neglected to enrol themselves in the censor's books, had forwarded, he published a proclamation, commanding all the citizens of Rome, both horse and foot, under the pain of imprisonment and death, to present themselves in the Campus Martius by break of day, ranged according to their respective centuries, and there, after mustering his whole army, he purified them by a sacrifice of a sow, a sheep, and a bull, and this was called closing the lustrum (*a*), because then the census was completed. In that survey, eighty thousand Roman citizens are said to have been enrolled. Fabius Pictor, the oldest historian extant, adds, that this was the number of those who were fit to bear arms. To accommodate this great number of people, it was thought necessary to enlarge the city, and for that purpose he first added the Quirinal (*b*), and Viminal (*c*) hills, and some time after the Esquiline (*d*), where he dwelt himself to give reputation to the place. He fortified the city with a rampart, a moat and a wall quite round it, and by this means enlarged the Pomœrium (*e*). They who regard only the composition of the word, will have the Pomœrium to be a space of ground without the walls, but it is rather a space on each side the wall, which the Hetrurians on building of cities consecrated by augury, reaching to a certain extent both within and without the wall they intended to raise; so that the houses might not be joined to it on the inside, as they commonly are now, and also that there might be some space without left untilled. This space, which it was not lawful to till or inhabit, not from its being without the wall, more than from the wall's being without it, the Romans called the Pomœrium: and in enlarging the city, as far as the walls were moved farther toward the fields, so far this consecrated ground was likewise extended.

XLV. The state being improved, the city enlarged, and every thing in it modelled in the best manner for the purposes of peace and war, that force of arms might not be the only means of acquiring farther degrees of strength, he endeavoured by policy to extend his empire, and at the same time to procure respect to the city. The temple of Diana at Ephesus (*a*), was at that time in high esteem, and was said to have been built at the common charge of all the states of Asia. Servius took occasion to commend exceedingly the agreement of these nations in the joint worship of the same gods, before the Latine nobility, with whom, both in public and private, he cultivated a strict friendship and intimacy. By often insisting on the same subject, he at last prevailed upon them so far, that the Latines joined the Romans in building a temple to Diana at Rome. This was plainly acknowledging that city to be their capital, which was a point they had frequently disputed with their swords. But though the Latines appeared now to have lost all concern for a matter, about which they had so often unsuccessfully employed their arms, fortune seemed to present one of the Sabines with an opportunity of recovering the superiority to his country by his own address. This man is said to have had a cow calved among his cattle, of surprising size and beauty. Her horns, which were hung up in the porch of the temple of Diana, remained, for many ages, a proof of her enormous bulk. The thing was justly looked upon as a prodigy, and the soothsayers had foretold, that whoever should sacrifice this cow to Diana, should thereby ascertain the empire to his native city. This prediction had also reached the ears of the high priest of Diana. The Sabine, when he deemed the proper time for offering the sacrifice was come, drove the cow to Rome, led her to the temple of that goddess, and set her before the altar. The Roman priest, struck with the uncommon size of the victim so much celebrated by fame, thus accosted the Sabine:—"What intendest thou to do, stranger?" says he; "wouldst thou, with impure hands, offer a sacrifice to Diana? Why dost not thou first wash thyself in running water? The Tiber runs in the bottom of the valley." The stranger being seized with a scruple of conscience, and desirous of having every thing done in due form, that the event might answer the prediction, immediately went down into the river. In the mean time the priest sacrificed the cow to Diana, which gave great satisfaction to the king, and to the whole state.

XLVI. Though Servius had now been established in the kingdom by long possession, yet as he heard that expressions some-

times dropped from young Tarquin, importing, "That he had seized the crown without the consent of the people," having first secured their goodwill, by dividing among them the lands taken from their enemies, he had the courage to submit his title to the kingdom to the judgment and decision of the people, and was declared king with such unanimity as had not been observed in the election of any of his predecessors in the throne. But this was so far from discouraging Tarquin from aspiring to the kingdom, that it only confirmed him the more in his hopes of attaining it; for besides the impetuosity of his own temper, and the impressions which the daily solicitations of his wife Tullia made upon him, he knew that the division of the lands among the people was contrary to the inclination of the senators; and therefore thought it would furnish him with a proper handle for accusing Servius to them, as it would at the same time give him an opportunity of raising his own reputation in the senate. In consequence of this, a tragical and inhuman act of cruelty was committed in the court of Rome, that the people being disgusted with kings, might the sooner enjoy the sweets of liberty, and he might be the last king who should, by unnatural crimes, pave his way to the throne. Whether this Lucius Tarquin was the grandson of Tarquinius Priscus, is not very certain; yet I am apt to believe, with the greatest number of authors, that he was his son. His brother Aruns Tarquin was a youth of a gentle disposition, and the two Tullias, the daughters of king Servius, who were likewise of very different tempers, had been married to these two brothers, as has been already observed. It had happened, that the two violent tempers were not matched together, and in my opinion it was chiefly owing to the good fortune of the Roman people, that Servius might reign the longer, and have a sufficient space of time to form the morals of the state. Haughty Tullia was extremely vexed, that she found in her husband neither the principles of courage nor ambition; and therefore having her thoughts entirely taken up with the other Tarquin, she used to express her admiration of him, by saying that he was a brave man, and truly born of royal blood, despising at the same time her sister as one, who, though matched with a man of spirit, had not the resolution of a woman. As the wicked are most commonly suited to one another, so a similitude of manners soon produced an intimacy between them; but this aspiring woman was the source of all the confusion that followed. She had been used, for a long time, to have secret conferences with her brother-in-law, and therein threw out the bitterest reproaches against her husband

to his brother, and against her sister to her husband, affirming, "That it were much better for her to be a widow, and him unmarried, than to be unequally matched, and under the necessity of living in obscurity by the mean-spiritedness of others. If the gods had given her the husband she deserved, she would soon have seen the sovereign power established in her own family, which she now saw in the hands of her father." By such discourses she soon inspired the young man with all the heat and violence of her own temper. And the death of Aruns Tarquin, and of the younger Tullia, which happened within a few days of one another, having left them at liberty to contract a new alliance, a match was soon made up between them, rather without opposition from Servius than with his consent.

XLVII. From this time Servius's old age became every day more uneasy, and his reign more grievous to him. For Tulla immediately after the commission of one crime, began to contrive another, and suffered her husband to rest neither day nor night, lest through his inactivity the unnatural murders they had already committed should lose their effect. She told him, "That she wanted not a man merely to be called her husband, nor one to live with her in obscure bondage, but one who should think himself worthy of a crown, remember that he was the son of Tarquinius Priscus, and chuse rather to have, than hope for a kingdom. If you are the man whom I thought I married, I must call you both husband and king; but if not, I have changed for the worse; because now I have to do not only with a coward but also a murderer. Why do you not rouse yourself? You have no need, as your father did, to travel from Corinth (*a*) or Tarquinii in quest of a foreign kingdom. Your household gods, the gods of your country, your father's statue, the palace where you dwell, the regal throne in that palace, and the surname of Tarquin create and call you king. But if you have not courage to improve those advantages, why do you disappoint the expectations of the city, or suffer yourself to be looked upon as the son of king. Get you hence to Tarquinii or Corinth, and seeing you resemble your brother more than your father, sink into the former obscurity of your family." By such reproaches she inflamed the mind of the prince, nor could she be at rest herself; she could not bear that Tanaquil, who was a stranger, should have the address to dispose of the kingdom twice successively, first to her husband, and afterward to her son-in-law; and that she, who was the daughter of a king, should have no weight in giving or taking away the crown. Tarquin incited by this furious woman went about among the



Senatores Minorum Gentium, making his court to them. He put them in mind of the favours they had received from his father, and demanded suitable returns. The young men he engaged to his interest by large presents, promising mighty matters from his own administration, and in all places vented the most bitter invectives against the king. At last, when he thought he had found a proper opportunity for executing his design, he got a band of armed men about him, and forced his way into the forum, and whilst all present were struck with sudden terror, placed himself on the royal throne in the senate-house, and ordered the public crier to summon the senators to attend king Tarquin. Some were beforehand prepared for this event, others, astonished at the surprising revolution, gave Servius up for lost; and feared that their absence might be made a crime, so that they all, from different motives, immediately repaired to the house. Then Tarquin beginning his invectives against Servius with the obscurity of his family, told them, "That after the barbarous murder of his father, though he was a slave and the son of a slave, he had possessed himself of the kingdom, not after an interregnum, according to ancient custom, not after holding the comitia, nor by the votes of the people, or confirmation of the senate, but merely by the intrigues of a woman. That thus born and thus created king, he had always favoured the meanest wretches, like himself, and out of hatred to others on account of their noble birth, had taken lands from the nobility, and distributed them to the most abject of the people. All the burdens which were formerly borne in common, he had laid on the principal citizens, and had instituted the census, that the fortunes of the rich being visible might expose them to envy, and that he might have them ready, when he pleased, to bestow upon beggars."

XLVIII. Servius, alarmed by the accounts of what passed, which were brought him in great haste, came in, while his rival was speaking, and immediately called to him with a loud voice from the porch of the senate-house, "What is the matter, Tarquin? How dared you be so audacious as to convene the senators, or sit on my throne whilst I am alive?" As the other haughtily replied, "That he had taken possession of the throne of his father; That it was much more proper his son should inherit his kingdom than his slave, who had already too long licentiously insulted his masters," the partizans on both sides raised a shout, the people crowded into the senate-house, and it appeared, that whoever should get the better in this struggle would be king. As Tarquin was now under a necessity of coming to extremities, and

had much the advantage in youth and strength, he seized Servius by the waist, carried him out of the senate-house, threw him from the top to the bottom of the stairs, and then returned thither to call the senators together. The officers and attendants of the king fled. He himself quite faint was returning home, with a few guards, half dead with fear; but when he had arrived at the top of the Cyprian street (*a*), he was overtaken and slain by those whom Tarquin had sent in pursuit of him. As this was not inconsistent with the other crimes of Tullia, it was believed to have been done by her advice; but it is very certain, that she drove in her chariot to the forum, and without regarding the number of men that were there, called her husband out of the senate-house, and was the first who saluted him king. And when, upon his ordering her to retire out of so great a crowd, she was returning home, and had reached the upper end of the Cyprian street, where a temple of Diana lately stood, as the charioteer was turning the chariot to the right-hand towards the Virbian ascent, which was his way to the Esquiline hill, he stopt short in a great fright, checked his horses, and shewed to his lady Servius lying murdered in the street. Upon this a shocking and inhuman action is reported to have ensued, and as a monument of it the name Vicus Sceleratus (*b*) was given to this place, in which Tullia, hurried on in a distracted manner by the furies of her sister and former husband, is said to have driven her chariot over the dead body of her father, and being herself stained and sprinkled by the bloody chariot, carried home part of the blood of her father to her own tutelary gods, and those of her husband; that by their just indignation, their reign might soon have an end suited to its wicked beginning. Servius Tullius reigned forty-four years in such manner, that his successor, had he been a good and reasonable prince, would have found it a difficult matter to equal him. And this likewise gives an additional lustre to his reign, that all just and lawful exercise of regal power fell with him. Some authors assert, that he intended to have resigned his government, however mild and gentle, because it was entirely lodged in the hands of a single person, had he not been cut off by the unnatural cruelty of his own family, while his thoughts were employed about the means of making his country entirely free.

XLIX. At this period began the reign of Tarquin, whose actions procured him the surname of the Proud, for he would not suffer his father-in-law to be buried, alledging, for an excuse, that even Romulus died without that honour. He put to death the principal senators, because he suspected them to have been in the interest of Servius; and as he was conscious of the wicked means

he had used to raise himself to the throne, that the precedent he had set might not be improved against himself, kept a strong guard of armed men always about his person. Nor indeed had he any better title to the crown than force and violence could give him; for he was neither advanced to it by the suffrages of the people, nor confirmed in it by the senators. Besides, as he had not hopes of gaining the affections of the citizens, he had no means of securing his kingdom but motives of fear; and that these might have the more general influence, he reserved to himself alone without the advice or assistance of any assessors, the cognizance of all capital crimes; so that he might have it in his power to put to death, banish, and confiscate the goods, not only of those whom he hated or suspected, but also where he had no prospect but of enriching himself by the spoils of the sufferers. Having chiefly, by these means, very much lessened the number of the senators, he resolved to chuse none in their room, that the order might fall into contempt from the smallness of their number, and have the less resentment of their being rendered useless. For he was the first who broke through the custom observed by preceding kings, of consulting the senate in all matters, and managed all the affairs of state according to his own arbitrary pleasure, making peace and war as he thought proper, entering into treaties and alliances with whatever states he had a mind, without consulting the senate or people, and breaking them without their advice. He was at very great pains to secure to himself the friendship of the Latine state, that, by means of this foreign alliance, his safety among his own subjects might be less precarious; nor did he only cultivate friendship with their nobility, but also entered into family alliances with them. He gave his daughter in marriage to Mamilius Tusculanus, who was by far the most considerable man of the Latine name; and, if we will believe the story, descended of Ulysses and the goddess Circe, by which means he secured to himself the interest of the numerous relations and friends of that Latine prince.

L. Tarquin, having now considerable weight among the Latine chiefs, appointed them to meet him on a certain day at the grove of Ferentinum (*a*), pretending that he wanted to treat with them about some matters relating to their common safety. Great numbers of them arrived at the place by break of day, but Tarquin himself, though he kept the appointed day, yet came not to the meeting till near sunset. During the whole of the day many different subjects passed in conversation at the assembly, and Turnus Merdonius, a native of Aricia (*b*), had bitterly inveighed against

Tarquin for his absence, saying, "It was no wonder that the surname of Proud had been given to him at Rome:" for he was commonly called by this name, though secretly and in whispers. "Can there be a greater instance of pride than thus to trifle with the Latine nation; to summon here a number of princes from distant places, and not attend the meeting which he himself had appointed? It was obvious he tried their patience, that, should they once submit to the yoke, he might oppress them when they had put it out of their power to help themselves. For who could fail to observe, that he aspired to a despotic power over the Latines? which, if his own subjects had wisely entrusted to him, or if it was true that they had trusted him with it, and he had not seized it by the unnatural murder of his nearest relations, the Latines might repose the same confidence in him; though even upon that supposition, being a distinct people, they were under no obligation to do it. But if he gave his own countrymen reason to repent of what they had done for him, by putting them to death, sending them into banishment, and stripping them of their estates, what ground had the Latines to expect better usage? If they would be persuaded by him, they should return to their own houses and take no more notice of the assembly designed to be held that day than he who had made the appointment." As Turnus, a seditious and enterprising man, who had by such arts amassed great wealth in his own country, was throwing out these and the like invectives with great warmth, Tarquin came in and put an end to his speech. They all turned to pay their compliments to him, and when silence was made, being put in mind by those who were next him to make an excuse for his coming so late, he said, "That a difference between a father and his son had been submitted to his arbitration, and that his concern for bringing about a reconciliation between them had detained him so long. And as that affair had taken up that day, he would lay before them to-morrow the reason of his calling them together." Turnus, it is said, did not suffer even this to pass without censure; alledging, that no difference was sooner composed, than that between a father and son, and that very few words were requisite in such a case. If he would not submit to his father, some dreadful calamity would befall him.

LI. The Arician having thus inveighed against the Roman king, left the meeting; Tarquin, resenting his invectives more than he seemed to do, immediately contrived the ruin of Turnus, that he might impress the Latines with the same terrors by which he overawed the minds of his own subjects: and because he had

no authority to put him to death openly, he cut off this innocent man by bringing a false accusation against him. His success in this was owing to some Aricians, engaged in a party opposite to that of Turnus, by whose means he bribed his slave to suffer a great number of swords to be secretly conveyed into his master's lodging. Tarquin, having completed the whole scheme in one night, sent for the Latine chiefs a little before day-break, and, as if alarmed by some extraordinary discovery, said, "That his absence yesterday had been ordered by the particular providence of the gods, for their safety as well as his own, because he was informed that Turnus had conspired his death, and that of the principal men of the Latines, that he alone might have the supreme power over the nation: that he intended to have executed his plot yesterday at the assembly, which he only delayed because the person who appointed it, and whom he principally wanted to make sure of, was not present. This was the reason why he had so bitterly inveighed against him in his absence, that very absence having disappointed his hopes. If his information was just, he did not doubt but at break of day, when the assembly met, he would come in arms with a band of conspirators. He was likewise informed, that a great number of swords had been secretly conveyed to him; and as it was easy to find out whether there was any ground for this report, he earnestly entreated them to go along with him to Turnus." The ambition of Turnus, and his speech the day before, because it seemed to have occasioned his delaying the intended massacre, made the thing look suspicious. They went with some disposition to believe what Tarquin had said, yet had not the swords been found, they would have looked upon all the rest as a forgery. When they came to the place, having awaked Turnus, set a guard upon him, and seized his slaves, who, out of affection to their master, began to make resistance, the swords, which were brought out of all parts of the house, where they had been hid, seemed to put the matter beyond all dispute. Turnus was put in chains, and immediately an assembly of the Latines called in great haste, where the swords, which were produced in court, so exasperated them against him, that, without suffering him to make his defence, he was condemned to a new kind of death; for he was thrown in at the head of the spring of Ferentinum, and a hurdle being laid upon him, and stones heaped upon it, he was drowned.

LII. Then Tarquin having recalled the Latines to the assembly, after commending them for the just punishment they had inflicted upon Turnus, in consequence of the clearest proofs of his having

conspired an unnatural parricide, as a means to bring about a revolution in the state, spoke to this purpose, viz. "That he could plead an ancient right, seeing the Latines came originally from Alba, and were comprehended in that treaty, whereby the whole Alban state, with its colonies, had submitted to the Roman government in the reign of Tullus. But he thought it would be more for the common interest of the parties concerned, to have that treaty renewed, and that the Latines should rather share the good fortune of the Romans, than always either be dreading or suffering the sacking of their towns, and ravaging of their lands, as they had experienced in the reign of Ancus, and in that of Tarquinius Ariscus, his own father." The Latines were easily persuaded, though the Romans were evidently the greatest gainers by that treaty; for, besides that they saw the Latine chiefs sided with the king, and were disposed to comply with his proposals, Turnus was a recent instance of the danger every man would expose himself to, who should dare to oppose him. Thus the treaty was renewed, and a proclamation issued out, commanding the Latine youth to rendezvous on a certain day at the grove of Ferentinum. When those of all the different nations were come to the place appointed, according to Tarquin's proclamation, that they might not have a leader of their own, a separate command, or ensigns peculiar to themselves, he blended the Romans and Latines together in every company (*a*), making one of two, and two of one (*b*). Having thus doubled the number of companies, he appointed centurions (*c*) to command them.

LIII. Nor was Tarquin, though a tyrannical prince in time of peace, a despicable general in war; nay, he would have been thought equal to his predecessors in that art, had not his degeneracy in other respects likewise obscured this bright part of his character. He begun the war against the Volsci, which lasted two hundred years after his time, and took from them Suessa Pometia by storm, the plunder whereof he sold for four hundred talents (*a*) of gold and silver. Upon this he formed a design of building the temple of Jupiter, with such magnificence as should be worthy of the king of gods and men, the Roman empire, and the majesty of the place where it was to be erected, and set apart the money he had got for the spoils of the Volsci to defray the expence of it. After this he was engaged in a war, which lasted longer than he expected: for having attempted to take Gabii (*b*), a city in his neighbourhood, and being repulsed with such loss as left him no hopes of taking it by siege, he at last endeavoured to reduce it by fraud and stratagem, arts till then unknown to the

Romans. For while he pretended to have laid aside all thoughts of war, and to be entirely employed in laying the foundations of the temple of Jupiter (*c*), and other public works in the city, Sextus, the youngest of his three sons, according to concert, fled to Gabii, complaining of the inhuman cruelty of his father, and pretending, "That he had turned his tyranny from others against his own family, and was uneasy that his children were so numerous, intending to make the same havock in his own house which he had made in the senate, that so he might leave behind him no issue, nor heir to his kingdom. That for his own part, as he had escaped from amidst the swords of his father, and other instruments of death, he was persuaded he could find no safety but among the enemies of L. Tarquin. And that they might not be deceived, the war against them, which seemed to be at an end, was only suspended till their security should present him with a fit opportunity of attacking them anew. If they would not regard the remonstrances of the miserable, he would wander over all Latium, and if he could find no shelter there, he would have recourse to the Volsci, Æqui, and Hernici (*d*), one after another, till he should find a people who knew how to protect children from the cruel and unnatural persecutions of their parents. That perhaps he would find some of these people disposed to take up arms, and wage war against this proud king and his haughty subjects." As the Gabini saw that he was like to depart full of resentment, if they shewed no regard to his complaints, they entertained him with great marks of favour, and told him, "That he ought not to be surprised if his father at last treated his children in the same inhuman and oppressive manner as he had done his subjects and allies; for if all other objects should fail, he would, in the end, wreak his cruelty upon himself. That his application to them for protection gave them great pleasure, and they doubted not of being able in a short time, by his assistance, to carry the war from the gates of Gabii to the very walls of Rome."

LIV. Upon this they admitted him into the public council of state, where, though with regard to other matters, he professed to submit to the judgment of the old inhabitants, who better understood them, yet he took frequent opportunities to advise them to renew the war, in relation to which he pretended to a superior knowledge, because he was well acquainted with the strength of both nations, and knew, for a certain truth, that the pride of the Roman king, which made him intolerable even to his children, exposed him also to the hatred and aversion of his subjects. As he thus by degrees stirred up the nobles of the

Gabinus to renew the war, he himself, with the most active of their youth, went to plunder the Roman lands, and to make inroads into their territories; and by all his words and actions, exquisitely framed to promote the deception, so far gained the confidence of that misguided people, that at last he was chosen general to prosecute the war. After his advancement, the people being still ignorant of the springs of his actions, he had several skirmishes with the Romans, wherein the Gabini generally came off with the advantage; upon which all of them from the highest to the lowest were firmly persuaded that the gods, as a particular instance of their favour, had sent them Tarquin to be their general. His readiness in exposing himself to the fatigues and dangers of war, and his generosity in dividing the plunder, so recommended him to the affection of the soldiers, that Tarquin the father had not greater power at Rome than the son had at Gabii. When he thought he had strength sufficient to support him in any undertaking, he sent one of his confidants to Rome to ask his father what he should do, seeing the gods had granted him the sole management of all affairs at Gabii. The king gave no answer by word of mouth to this courier, because, in my opinion, he suspected his fidelity; but going into a garden adjoining the palace, as it were to consider of the matter, followed by his son's messenger, he is said to have walked there for some time in silence, and to have struck off the heads of the tallest poppies with his staff. The messenger, wearied with demanding and waiting for an answer, returned to Gabii as if he had lost his labour, and told what he had said himself, and what he had observed, adding, "That Tarquin either through passion, aversion to him, or his innate pride, had not spoken a word." Sextus, by these dark hints, no sooner understood the inclination and orders of his father than he put to death the most eminent men of the city, accusing some of them to the people, and others exposing themselves to his revenge by envying his greatness. Many were publicly executed, and some, against whom no specious pretext of accusation could be found, were secretly assassinated. Some were allowed to escape, and others banished, and their estates, as well as the estates of those who were put to death, distributed among the people. The sweets of corruption, plunder and private advantage, resulting from these distributions, extinguished in them the sense of the public calamities, until the state of Gabii, destitute of counsel and assistance, was delivered into the hands of the king of the Romans without the least resistance.

• LV. Tarquin thus put in possession of Gabii, made peace with



the Æqui, and renewed the treaty with the Heturians. Then he turned his thoughts to the business of the city. The chief whereof was that of building the temple of Jupiter on the Tarpeian mount, which he intended to leave as a monument of his name and reign; since posterity would remember that of the two kings of the Tarquin family, the father had vowed, and the son had finished that stately fabric. And that the area, excluding all other forms of worship, might be entirely appropriated to Jupiter, and his temple, which was to be erected upon it, he resolved to unhallow several small temples and chapels, which had been vowed by Tatius, in the heat of the battle he had fought with Romulus, and which he afterwards consecrated and dedicated. In the very beginning of this work it is said, that the gods exerted their divinity to presage the future greatness of this empire; for though the birds declared for the unhallowing of all the other temples, they did not admit of it with respect to that of Terminus. From this omen and augury it was concluded, that Terminus, by not changing his residence, and being the only one of the gods who was not called out of the places devoted to their worship, presaged the duration and stability of their empire. As this was looked upon to be an omen of the perpetuity of the empire, there followed another portending its greatness. As the workmen were digging the foundation of the temple, it is reported, that the head of a man, with the face entire, appeared to them. This sight clearly presaged that this temple should be the head of the empire, and mistress of the world. And both the Roman soothsayers, and those of Heturia, who were sent for to be consulted upon it, were of this opinion. This encouraged the king to spare no expence: so that the spoils of Pometia, which had been computed sufficient to complete the work, scarcely defrayed the expences of laying the foundation. I am more inclined to believe Fabius Pictor, as being the more ancient historian, that the plunder of this city amounted only to four hundred talents, than Piso, who says, that forty thousand pounds weight of silver was set apart for that purpose, a greater sum than could be expected to arise from the pillage of any one city at that time in the world, and more than sufficient for laying the foundation of any fabric, even of these magnificent works.

LVI. Tarquin intent upon finishing this temple, having sent for workmen from all parts of Heturia, expended on it not only the public money, but made the people do the drudgery. Though this was no small additional hardship to their military service, yet they did not so much resent their being obliged to build the

temples of the gods with their own hands, as that they were afterwards employed in more laborious and less honourable works, such as making galleries in the circus, and digging under ground a very large common-sewer to carry off the filth of the city, two works so great, that even the magnificence of the present age hath not been able to equal them. While the people were engaged in these public works, because he thought greater numbers of inhabitants than could be employed, were rather a burden than an advantage to the city; and also because he had a mind that the frontier places of his dominions should be better inhabited, he sent colonies (*a*) to Segnia (*b*) and Circæum (*c*), to serve as a defence to the city in after-times both by sea and land. While he was thus employed a frightful prodigy was seen. A serpent came out of a wooden pillar, which, after spreading terror through the palace, and making all who saw it run away, did not strike the king with such a sudden dread, as it filled his breast with perplexing thoughts. And therefore, though the Hetrurian diviners were only consulted about prodigies which concerned the public, yet being exceedingly alarmed at this sight, as it seemed to respect his own family, he resolved to send to the oracle at Delphi (*d*), which was the most famous in the world. And not daring to trust the response to any other, he sent two of his sons into Greece through tracts of land then unknown, and still more unknown seas. Titus and Aruns were the two who went. They were attended by L. Junius Brutus son of Tarquinia sister to the king, a youth of a turn of mind quite different from that under which he thought fit to disguise himself. Brutus hearing that the chief men of the city, and among others his own brother, had been put to death by his uncle, resolved to retain nothing of his fortune that might be a temptation to the covetous temper of the king, nor the appearance of any abilities of mind which could alarm his fears, and thus to seek security in contempt, where integrity and justice could afford him no protection. Therefore designedly counterfeiting the carriage and actions of a fool, he suffered himself and his whole estate to become a prey to the king, and did not refuse to take even the surname of Brutus, that his great capacity, which was to deliver the Roman people, lying for some time under this title of reproach, might wait for a proper season to discover itself. When the sons of Tarquin carried him with them to Delphi, rather to make them sport than as a companion, it is said he took with him, as a present to Apollo, a rod of gold enclosed in a staff of cornel-wood hollowed for the purpose, which was at the same time a true emblem of his own genius. After the young princes had

arrived there, and executed the orders of their father, their curiosity prompted them to enquire of the oracle which of them should succeed him in the kingdom. Upon which it was reported, that this answer was returned from the bottom of the cave, "Whoever of you, O young men, shall first give a kiss to his mother, shall have the sovereignty of Rome." The sons of Tarquin, that their brother Sextus, who was left at home, and knew nothing of this response, might have no share in the kingdom, commanded that all possible care should be taken to conceal it, and cast lots to determine which of them two, when they returned to Rome, should first kiss his mother Tullia. But Brutus, imagining that the oracle had another meaning, pretended to fall down by chance, and kissed the earth, because she is the common mother of all mankind. After this they all returned to Rome, where they found great preparations making for a war against the Rutuli.

LVII. This people, who were very wealthy, considering the country and age they lived in, were at that time in possession of Ardea. Their riches gave occasion to the war: for the king of the Romans having exhausted his treasure by the magnificence of his public works, was contriving means to enrich himself, and by a large booty to soothe the minds of his subjects, who, besides the provocation they had received by other instances of his tyranny, resented their being so long kept employed in servile labour, and doing the drudgery of mechanics. He had first attempted to take Ardea by storm, but that not succeeding, he began to distress the enemy by blockading the place, and raising works against it. As it commonly happens in standing camps, where the war is rather tedious than violent, they obtained furloughs without any difficulty, though this was a favour more readily granted to officers than common soldiers. The young princes sometimes spent their leisure hours in feasting and entertaining one another. One day as they were drinking in the tent of Sextus Tarquin, where Collatinus Tarquinius the son of Egærius had been invited to supper, the conversation happened to turn on the merit of wives. Every one commended his own in an extravagant manner, till a dispute arising about it, Collatinus said, "There was no occasion for words, because they might in a few hours satisfy themselves, how far his Lucretia excelled all the rest. If then," added he, "we have any share of the vigour of youth, let us mount our horses and examine the conduct of our wives: and let every one form his judgment from what he shall observe about them, when they have no expectation of a visit from their husbands." As their blood was heated with wine, they imme-

diately galloped to Rome, where they arrived in the dusk of the evening. From thence they went to Collatia, and found Lucretia sitting in the middle part of the house, not like the daughters-in-law of the king, who spent their time in diversions and feasting with ladies of their own rank; but, though the night was far spent, amidst her maids, and with them diligently employed in working wool by candle-light. Upon this the controversy concerning the ladies was determined in favour of Lucretia, who at their coming received them with great civility; and her husband, fond of his victory, invited the young princes to a friendly repast. There Sextus Tarquinius first conceived his villainous design of ravishing Lucretia. Both her beauty and celebrated chastity incited him. However from this time, leaving their youthful frolic in which they had spent a great part of the night, they all returned to the camp.

LVIII. A few days after, without acquainting Collatinus, Sextus came to Collatia attended by one slave only. As his designs were unknown, he was received with great marks of friendship, and after supper conducted to his apartment. There his passion rose to such a height, that when he found every thing quiet around him, and imagined the whole family to be at rest, he came to Lucretia as she lay fast asleep with his sword drawn, and laying his left hand on her breast, said, "Be silent, Lucretia, I am Sextus Tarquinius. I have a sword in my hand; you shall die if you speak a word." As she awoke in a great fright, seeing death impending, and no help near, he declared his passion, and begged her to yield to his desires, mixing entreaties with his threats, and using all sorts of arguments to shake her resolution. Finding her inflexible, and that even the fear of death could have no influence upon her, he farther threatened her with infamy; for he would kill a slave, and lay him by her when she was dead, that it might be said she was slain in infamous adultery. The dread of this disgrace as effectually overcame her obstinate virtue, as if lust had prompted her to yield, and Tarquin left the place, proud of his conquest of the lady's honour. Lucretia, distressed with the thoughts of so insupportable a misfortune, dispatched the same messenger to her father at Rome, and to her husband at Ardea, desiring they would come to her, and bring each a faithful friend with him; that this must be done with all expedition, because a shocking affair had happened. Spurius Lucretius brought with him Publius Valerius, the son of Volesus; and Collatinus brought Lucius Junius Brutus, in company with whom he happened to be returning, when he met with his wife's messenger. They

found Lucretia sitting quite disconsolate in her chamber. Upon the arrival of her relations, tears streamed from her eyes; and when her husband asked, "Whether all was well? by no means said she, for what can be well with a woman who has lost her honour? Another, Collatinus, hath defiled your bed. But after all, though my body is polluted, my soul is innocent. Of this my death shall attest the truth. But give me your right-hands and solemn promise, that the adulterer shall not go unpunished, Sextus Tarquinius is the person I mean, who, coming hither last night with the air of a friend, but the heart of an enemy, by force and arms hath extorted a short-lived pleasure, fatal to me, and to himself too if ye are men of resolution and spirit." All of them gave her their promise, one after another, and endeavoured to comfort her disconsolate mind by acquitting her of the guilt because she had been forced, and laying the whole blame upon the author and contriver of the crime. They added, that the soul not the body could sin, and there could be no guilt where there was no consent. "I leave you, said she, to consider what reward is due to him: for my own part, though I do not charge myself with the crime, yet I do not exempt myself from the punishment; nor shall any woman hereafter survive her honour, and plead the example of Lucretia." With that she plunged into her heart a knife which she had kept concealed under her clothes, and stooping forwards fell down in the agonies of death. The husband and father cried out.

LIX. While they were employed in lamenting her fate, Brutus pulling the knife out of the wound, and holding it up before him as the blood dropped from it, said, "I swear by this blood, which was most pure, before it was polluted by royal villainy, and I call you, O gods, to witness my oath, that I shall pursue Lucius Tarquin the Proud, his wicked wife, and all their race, with fire, sword, and all other means in my power; nor shall I ever suffer them or any other to reign at Rome." Then he gave the knife to Collatinus, and after him to Lucretius, and Valerius, who were surprised at the extraordinary wisdom they observed in Brutus. However they all took the oath as they were bid, and converting their sorrow into rage committed themselves to the conduct of Brutus, who from that time ceased not to solicit them to join in abolishing the regal power. They carried Lucretia's body from her own house, and exposed it in the forum; and having, by the extraordinary and moving nature of the spectacle, brought great numbers together, as usually happens in such cases, every one from his own experience made bitter complaints of the tyranny

and oppression of the royal family. But what principally moved the people was, the father's tears on the one hand, and on the other the conduct of Brutus, who, blaming their vain lamentations and fruitless complaints, advised them, as became men and Romans, to take up arms against those who had dared to treat them in such an hostile manner. The most resolute of the youth, voluntarily putting themselves in arms, came and offered their service. The rest soon after followed their example. Upon this, leaving a sufficient guard at the gates of Collatia, and setting sentries, that none might escape or get out to acquaint the king or his party with this insurrection, they marched in arms to Rome under the conduct of Brutus. When they arrived there, this armed body spread terror and confusion wherever it went; but when the people considered that the chief men in the state were at the head of it, they thought that whatever the matter might be, it could be no rash or unadvised attempt. Nor indeed did this barbarous action occasion less commotion at Rome than it had done at Collatia. The people from all corners of the city ran into the forum, and as soon as they were convened there, the public crier summoned them to attend the tribune of the *celeres*, with which honourable office Brutus happened to be at that time vested. There he harangued the assembly in a manner quite different from that degree of understanding and turn of mind he had till then counterfeited. In his speech he expatiated upon "the violence and brutal passion of Sextus Tarquinius; the infamous rape and deplorable death of Lucretia; upon Tricipitinus's loss of his daughter, especially as the occasion of her death more grievously afflicted and distressed him, than her death itself. Then he took notice of the king's haughtiness, the miseries and servile labours of the people, oppressed with digging ditches, and drawing common-sewers; and that the Romans, who had conquered all the nations round about them, instead of cultivating the arts of war, were now become masons and common mechanics." He likewise mentioned "the barbarous murder of Servius Tullius, and the daughter's driving, in an inhuman manner, her chariot over the dead body of her father, and then invoked the gods, whose province it is to avenge the injuries done to parents by their unnatural children." By a lively representation of these grievances, and, I believe, of others yet more shocking, suggested by the calamity of these times, which it is not easy for a modern historian either to come to the knowledge of, or relate to others, he prevailed on the enraged multitude to depose their king from the exercise of his authority, and to pass an act of banishment

against Lucius Tarquin, his wife and family. And as Tarquin had formerly made Lucretius prefect (*a*) of the city, Brutus left the government of it in his hands, and having levied and armed a body of young men, who cheerfully listed themselves, marched himself at their head to the camp at Ardea, to persuade the army to rise against the king. During this uproar Tullia fled out of the palace, both sexes wherever she went loading her with curses and imprecations, and calling upon the furies of her parents to pursue her.

LX. When accounts of these transactions were brought to the camp, and the king, alarmed at this sudden revolution, was going to Rome to quell the commotions there, Brutus, who had intelligence of his coming, turned out of the way, that he might not meet him, and much about the same time Brutus and Tarquin arrived by different routes, the one at Ardea, and the other at Rome. Tarquin found the gates shut, and an act of banishment passed against him; but the deliverer of the state was received into the camp with great demonstrations of joy, and the king's sons expelled. Two of them followed their father, and went into banishment to Cære, a city of Hetruria. Sextus Tarquinius, having gone to Gabii, which he considered as his own kingdom, fell a sacrifice to the old feuds, which he had raised against himself by the rapines and murders he committed in that city. Lucius Tarquin the Proud reigned twenty-five years, and the whole duration of the regal government, from the building of the city to this period of its deliverance, was two hundred and forty-four years. Immediately after this expulsion of the kings, two consuls (*a*), viz. Lucius Junius Brutus and Lucius Tarquinius Collatinus, were elected by the prefect of the city at the comitia by centuries, according to the regulations of Servius Tullius.





# THE HISTORY OF TITUS LIVIUS.

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## BOOK SECOND.

*Brutus binds the people by oath never to suffer any king to reign at Rome; obliges his colleague, Tarquinius Collatinus, who was suspected on account of his relationship to the Tarquins, to resign the consulship, and to leave the state; commands the effects of the royal family to be plundered; consecrates a field of theirs to Mars, which thence had the name of Campus Martius; beheads some young noblemen, and among the rest his own sons and those of his sister, because they had conspired to receive the kings into the city; emancipates the slave who discovered the plot: the name of the slave was Vindicius, and hence the word Vindicta was derived. Upon his leading an army against the kings, who, with the troops of the Veientes and Tarquinienses which they had drawn together, made war upon the Romans, he engages in a single combat with Aruns the son of Tarquin the Proud, and expires at the same time with his adversary. The ladies mourn for him a whole year. P. Valerius makes a law allowing appeals to the people. The capitol dedicated. Porserna, king of Clusium, undertakes a war in favour of the Tarquins, advances to the Janiculum, and is prevented from crossing the Tiber by the bravery of Horatius Cocles. This hero alone bears the brunt of the Etruscians, while others cut down the wooden bridge: when it is broken down, he throws himself with his arms into the river, and swims across it to his friends. Mucius gives likewise a signal instance of bravery: for he enters the enemy's camp with a design to kill Porserna; kills the secretary, whom he mistook for the king, and is taken. After putting his hand upon the altar, where they had been offering sacrifice, suffers it to be broiled, and pretends that three hundred others of equal resolution with himself had conspired the king's death. Porserna, struck with admiration of their bravery, is obliged to offer them terms of peace, and, having received hostages, concludes the war. One of the hostages, named Clælia, a young lady, deceives her keepers, swims across the Tiber to her friends, and when delivered up to Porserna, he sends her back with great marks of respect: at her return she is honoured with an equestrian statue. Ap. Claudius removes from the country of the Sabines to Rome: for this reason the Claudian tribe is added to the former number, which, by this means, is increased to twenty-one. A. Posthumius, the dictator, fights successfully at the lake Regillus against Tarquin the Proud, making war upon the Romans with an army of Latines. When the commons, upon account of their debts, withdraw to the sacred mount, the mutineers are brought back by the persuasion of Menenius Agrippa. When the same Agrippa dies, he is, upon account of his extreme poverty, buried at the public expence. Five tribunes of the people created. The city of Coriols taken by the valour and activity of C. Marcius, and from that he is named Coriolanus. Tib. Atinius, a commoner, admonished in a vision to lay before the senators an account of some religious ceremonies, which had not been decently performed, upon his neglecting to do it loses his son, and the use of his limbs: but being carried to the*

senate in a litter, discovers the matter to them, and hereupon recovers the use of his limbs and walks home again. C. M. Coriolanus, who had been banished, being made general of the Volsci, and advancing with their army to the neighbourhood of Rome, the deputies which were first sent to him, and afterwards the priests, in vain dissuade him from making war upon his country; but his mother Veturia and his wife Volturnia prevail upon him to retire. The Agrarian law first made. Sp. Cassius, a man of consular dignity, condemned for aspiring to the sovereignty, and put to death. Oppia, a vestal virgin, buried alive for the crime of incontinence. Because the Veientes, who lived in the neighbourhood of Rome, were rather a troublesome than dangerous enemy, the Fabian family undertake to carry on that war at their own cost and hazard, and for that purpose send out three hundred and six men in arms, who were all cut off by the enemy at the river Cremera. There only remained one boy of the family, who was not fourteen years of age. Ap. Claudius the consul decimates his army because he had been unsuccessful in the war with the Veientes, by their refusing to obey orders. This book likewise contains an account of the wars with the Volsci, Æqui, and Veientes, and the contests of the fathers with the commons.

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I. AS the Romans from this time are to be considered as a free people, I shall proceed to give an account of their conduct in peace and war, their annual magistrates, and the empire of laws, superior to that of men. The insolent behaviour of the late king gave them a greater relish for liberty. For their former princes had ruled with so much moderation, that they may all justly be called founders of those parts of the city which each of them successively added, for the accommodation of the people, whose numbers were increased by their care. Nor will it admit of a dispute, that the very same Brutus, who deserved immortal praises for expelling this haughty monarch, would have done the greatest injury to the public interest, if, through an unseasonable desire of liberty, he had wrested the kingdom from any of the preceding kings. For what would have been the consequence, if that multitude, composed of shepherds and strangers, fugitives from different countries, having, under the protection of an inviolable asylum, found liberty, or at least impunity, and without being overawed by the dread of regal authority, had begun to be distracted by the storms of tribunician rage? Had they begun to contend with the fathers in a strange city, before the pledges of wives and children, and love of the very soil, which is a work of many years, had united their affections? These civil broils would have entirely ruined their affairs, while they were in this infant state. But the mild exercise of government so cherished them, and, by proper nourishment, brought their strength to such perfection, as to be able to produce the wholesome fruits of liberty.

The reader, however, may observe, that the rise of liberty was more owing to confining the consular government to the duration of one year, than to their wanting any of that power which the kings had enjoyed. The first consuls had all the privileges and ensigns of authority which had belonged to the kings; except that it was provided, that both the consuls should not appear attended with the fasces at the same time, that the present government might not seem armed with twice the terror of the former. Brutus, as steady in maintaining the liberty of the people as he had been active in recovering it, was, with the consent of his colleague, first attended by the fasces. And that the people might neither be softened by the intreaties of Tarquin, nor corrupted by his bribes, he obliged them, while fond of their newly recovered liberty, to take an oath, "never again to suffer kings to reign at Rome." And to give the greater weight to the senate, by augmenting that order, greatly diminished by the murders of Tarquin, he chose men of reputation and abilities from the knights, and with them increased the number to three hundred. Hence it is said arose the custom of summoning to the senate, both the patres and the conscripti. Those who were chosen into this new senate, they called conscripti, (i. e. because they were enrolled with them, or added to their list.) This in a surprising manner contributed to establish the tranquillity of the state, and to unite the hearts of the fathers and people.

II. They then applied themselves to the regulation of religious matters, and as some part of the public worship had been performed by the kings in person, that they might not miss them in any respect, they elected one to discharge these duties, and gave him the title of *rex sacrorum* (*a*), i. e. king of sacred things. This office they made subject to the high-priest, that the honourable name might be no infringement to their liberty, which was now their principal care. And I am not certain, but their zeal in securing it, even in things of the smallest moment, exceeded all bounds; for when there was nothing else to disquiet the people, they took umbrage at the very name of one of the consuls. "They said, that the Tarquins had been too long accustomed to the sovereign power; Priscus had first usurped it; Servius Tullius had indeed succeeded him, but Tarquin the Proud, during all that reign, not forgetting his claim to the crown, though he saw another vested with it, had by cruelty and wicked practices, seized on it as the indefeasible right of his family. That since he was expelled, the supreme power had been in the hands of Collatinus. The Tarquins were not capable of living in a private

station. That for their part they abhorred the very name, as being dangerous to their liberty." Discourses of this kind were first artfully whispered in all corners of the city, to sound the inclinations of the people, and when their jealousy made them uneasy, Brutus summoned them all to an assembly. There he first read, with a loud voice, the oath which all the people had taken, "that they would suffer no person to reign in Rome; nor any thing to remain there, that might endanger their liberty. They ought to maintain this oath with all their might, and despise nothing that could in the least tend to infringe it. That he spoke this with the greatest reluctancy, upon account of Collatinus, and would not have done it, if love to his country had not prevailed beyond all other considerations. That the people of Rome do not believe, that they have recovered their entire liberty: for as yet, not only some of the royal family, but those of the name, remain in the city, and are even possessed of the supreme power. This obstructs their liberty, and hinders them from enjoying it in its full extent." Then, addressing himself to Tarquin, he said, "Do you, O Tarquin, voluntarily remove their fears. We must confess, we remember it was you who expelled the kings. Make this glorious service done the public complete. Remove hence the regal name. Your fellow citizens, by my advice, will not only deliver you all your effects; but, if you want any thing generously supply you with it. Go hence in a friendly manner, and ease the public of that fear which is, perhaps, without any just foundation. They are convinced, that as soon as the family of the Tarquins shall be departed from hence, they shall be free from regal tyranny. The consul was so shocked at this sudden and unexpected motion, that at first he could not open his mouth. When he began to speak in his own defence, the most considerable men in the city surrounded him, and with the most pressing entreaties, besought him to depart. But their arguments made little impression upon him, till Sp. Lucretius, a man of great worth, and advanced in years, and who was likewise his father-in-law, used various methods of persuasion with him; sometimes intreating, and sometimes advising him, to suffer himself to be prevailed upon, by the united desires of his country. Upon this he began to reflect, that he might be forced to leave the city, after he was returned to the condition of a private person, and this besides might be attended with the loss of his estate, and some additional mark of disgrace; he therefore resigned the consulship, conveyed all his effects to Lavinium, and withdrew from Rome. Brutus, according to a decree of the senate, proposed to

the people, that all the family of the Tarquins should be banished from Rome; and in an assembly by centuries he procured P. Valerius, who had assisted him in expelling the kings, to be chosen his colleague.

III. Though no one doubted that the Tarquins would have recourse to war, yet it broke out later than was universally expected; but they had nearly lost their liberty by treachery and fraud, practices which they had never suspected: for there were among the Roman youth, some men of no mean families, who, during the late reign, had pursued their pleasures without any restraint; and as they were of the same age with the young Tarquins, and also their companions, had been accustomed to live with the licentiousness that is usual to princes. Though all citizens were now equal, they still longed for the same dissolute course of life, and for that reason complained to one another, that the liberty of others had involved them in slavery. Adding, "That a king is the only person who can gratify the desires of men, whether right or wrong. He only is able to confer favors, and to do acts of kindness. He can both testify his resentment and display his clemency, and knows how to distinguish a friend from a foe. The laws are always inexorable and deaf to all arguments, being better calculated for the advantage and convenience of the poor than of the rich. They grant no indulgence, and admit of no pardon to those who transgress them. Amidst the many failings to which human nature is liable, it is a hard matter to have no other security to depend on but an innocent life." In the mean time, while their minds were fretted at their situation, deputies from the kings unexpectedly arrived at Rome, who, without mentioning their return, only demanded their effects. After the senate had admitted them to an audience, they debated for several days whether they should grant their demands, dreading a war if they refused, and apprehensive if they gave them up, that they would enable the kings to begin, and continue their hostilities. During this debate, the ambassadors formed other projects; for while they openly demanded their effects, they secretly plotted to recover the kingdom, and under pretence of soliciting the young noblemen for their interest in favour of the question depending before the senate, they sounded their inclinations. To those who readily listened to their proposals they delivered letters from the Tarquins, and conferred with them about admitting them into the city in the night.

IV. This conspiracy was first communicated to the Aquillii and Vitellii, of whom there were many brothers. Brutus had

married a sister of the Vitellii, and by her had two sons, called Titus and Tiberius, who were taken by their uncles as associates in their design. Some other young noblemen were, likewise, concerned in the plot, but their names, by the injury of time, are lost. When it was voted by a majority of the senate, that the effects of the royal family should be restored, this furnished the ambassadors with a pretext of continuing at Rome, because the consuls had granted them leave to remain there till they could provide carriages for transporting them. All that time they employed in advising with the conspirators, and by their pressing instances prevailed on them to give them letters to the Tarquins; for, said they, "How will our masters otherwise believe, that the accounts we shall give them, about a matter of the highest importance, are not fictitious?" The letters, which they gave as a pledge of their fidelity, discovered the whole affair. For the day before the ambassadors set out on their journey home, they happened to sup with the Vitellii; and, as is usual in such cases, the conspirators conversed long together in private about the newly concerted plot. A slave, who had before that time perceived what they were about, over-heard their conversation, but waited till they should deliver their letters, by the seizing of which, the whole plot might be proved. As soon as he knew that they had delivered them, he informed the consuls of it, who went directly from their houses to apprehend the ambassadors and conspirators, and thereby crushed the whole design without any noise. They took particular care to secure the letters, lest they should have been lost. The traitors were immediately put in irons; for some time they were at a loss how to proceed with respect to the ambassadors; but notwithstanding they deserved to be treated as enemies, the regard to the law of nations prevailed.

V. The restitution of the effects of the tyrants, which the senate had formerly voted, came again under consideration. The fathers, fired with indignation, expressly forbade them either to be restored or confiscated. They were given to be rifled by the people, that after having shared in the plunder, they might for the future lose all hopes of a reconciliation with the Tarquins. A field belonging to them, which lay between the city and the Tiber, was consecrated to Mars, and since that time hath been called the Campus Martius (*a*). It happened that there was a crop of corn upon it ready to be cut down; but as they thought it unlawful to use it, after it was reaped, a great number of men carried the corn and straw in baskets, and threw them into the Tiber, the waters of which were low, as is usual in the heat of

summer, so that the heaps of corn sticking in the shallows were covered with mud: by these and other things which the river happened to bring thither, an island was formed by degrees, which, I suppose, with the addition of banks, and the assistance of art, was raised so high and made so firm, that temples and porticos were built upon it (*b*). After plundering the tyrants' effects, the traitors were condemned and executed. Their punishment was the more remarkable, because the consulship of Brutus forced him to submit to the office of punishing his own children, and him who should have been removed from beholding such a mournful spectacle, fortune obliged to oversee the infliction of the punishment. Young men of the highest quality stood tied to a stake; but the consul's sons attracted the eyes of all the spectators from the rest of the criminals, as from persons unknown; nor did the people pity them more on account of the severity of the punishment, than the horrid crime by which they had deserved it. It gave them the greatest concern, "That they, in the very year of their deliverance from slavery, should have conspired to betray into the hands of Tarquin, formerly a proud tyrant, and now an hostile exile, their native country freed from his arbitrary rule, their father, its deliverer, the consulate which took its rise from the family of the Junii, the fathers, the people, and whatever belonged either to the gods or the citizens of Rome." The consuls seated themselves in their tribunal, and the lictors were ordered to do their office, who stripped them naked, whipped them with rods, and struck off their heads. All this time, the eyes of the people were fixed upon Brutus, narrowly observing his looks and the air of his countenance, which by its remarkable steadiness discovered a superior zeal for his country all the while the punishment was inflicting. When the traitors were executed, that crimes of this nature might be discouraged by a signal instance of rewards as well as punishments, the slave, who discovered the plot, had a sum of money (*c*) given him out of the public treasury, obtained his liberty, and the freedom of the city. This man, they say, was the first that was made free by the rod Vindicta (*d*); and as they suppose that his name was Vindicus, it is thought, the word Vindicta was derived from it. Since his time it has been customary, that those, made free in this manner, were at the same time supposed to be admitted to all the privileges of a Roman citizen.

VI. When Tarquin received an exact account of those things, he was not only grieved at the disappointment of his mighty hopes, but upon seeing there was no room for stratagem,

prompted by resentment and rage, he resolved to try open war. For that purpose he went round the cities of *Hetruria* in a suppliant manner, and with the most moving intreaties besought the people of *Veii* and *Tarquinius*, above all others, "Not to suffer him, who was come of their own blood, lately banished, and after living with the splendour of a mighty king, reduced to the greatest poverty, with his sons who were promising young men, to starve before their eyes. Others had been sent for from foreign countries to reign at Rome; but he their lawful king had been expelled his kingdom by a conspiracy of his nearest relations, while he was employed in enlarging the Roman empire by his arms abroad. That as no one man among them seemed worthy of the crown, they had divided the regal power; and to make all his subjects accomplices in so black a crime, they had given his effects to be plundered by the people. That as he resolved to recover his native country and kingdom, and to take vengeance on his ungrateful subjects, he begged them to aid and assist him, and at the same time to revenge the former injuries that had been done them, the many legions the Romans had slaughtered, and the loss of lands they had taken from them." These arguments prevailed on the people of *Veii*, and they made their boastings, that now at least under the conduct of a Roman general, they would wipe off their former disgrace, and recover what they had lost in war. His name and relation to them induced the people of *Tarquinius* to take part with him; for they deemed it an honour to have one of their nation king of Rome. Therefore the two armies of these states put themselves under the command of *Tarquin* in order to recover his kingdom, and to take vengeance upon the Romans. When they entered their territories, the consuls marched to meet them. *Valerius* led up the foot in a square battalion, and *Brutus* marched before with his horse to reconnoitre the enemy. Their cavalry likewise came up first, commanded by *Aruns*, the son of *Tarquin*, the king himself followed with the legions. *Aruns* knew at a distance by the lictors that it was one of the consuls; but when he came nigher and discovered for certain that it was *Brutus* by his face; all inflamed with rage, he cried out, "There is the villain who has banished us from our native country! see how gallantly he rides adorned with the ensigns of our dignity! now assist me, gods, the avengers of injured kings." Having said this, he put spurs to his horse and drove against the consul with all his force. *Brutus* perceived he made at him, and as it was honourable in these days for the generals to engage in single combat at the head of their armies, he willingly



met his enemy. They encountered one another with such fury, and each was so regardless of self-preservation, so he might wound his adversary, that at the first push they pierced each others shields, ran one another through the body, and fell from their horses, fastened together by their lances, in the agonies of death. The rest of the horse engaged at the same time, and soon after the foot came up. The bravery of both sides seemed equal, and the victory doubtful. The right of both armies was victorious, and the left defeated. The Veientes, accustomed to be discomfited by the Romans, were routed and put to flight. The Tarquinians, who were a new enemy, not only stood their ground, but even obliged the Romans on their side to give way.

VII. After this smart engagement, so great a terror seized Tarquin and the Hetrurians, that both the armies, without attempting any thing farther, returned home. A strange story is reported concerning this battle, that the next night, when all things were quiet, a loud voice had been heard out of the wood Arnia (*a*), which was believed to be the voice of Sylvanus, who said, "That the Hetrurians had lost in the action one man more on their side, and that the Romans were conquerors." It is certain, that the Romans left the field of battle like a victorious army, and the Hetrurians with all the signs of a defeat. For as soon as it was light, and the enemy gone out of sight, P. Valerius the consul gathering up the spoils, returned in triumph to Rome, and buried his colleague with all the pomp which the simplicity of the times would allow. But that which did greatest honour to him, after his death, was the public mourning which was made for him, in which the ladies particularly distinguished themselves; who out of respect to him, as the bold defender of the honour of the sex, mourned a whole (*b*) year, as if they had lost a common parent. The surviving consul had been in great esteem with the people; yet, so fickle are their minds, that he not only incurred their hatred and suspicions, but was even charged with the most odious designs. A report was spread, that he aspired to the crown, because he had not chosen a colleague in room of Brutus, and had begun to build a house on the upper Velia (*c*), which from the height and strength of its situation they said would be an impregnable fortress. As these stories were rumoured about and gained credit, Valerius was grieved to the very soul at the unworthy opinion they entertained of him, and therefore he immediately called an assembly of the people, and ascending the tribunal, ordered the fasces to be lowered. It pleased the multitude extremely, to see the ensigns of authority

lowered to them, which was plainly acknowledging, that the majesty and power of the people was greater than that of the consul. When they were called to silence, Valerius highly extolled the good fortune of his colleague, "who after delivering his country, had died vested with the supreme power, fighting bravely in defence of its liberty when his glory was at the very height, and before it was blasted by envy. As for himself he had survived the reputation he had acquired, was now exposed to envy and a shameful imputation, and from being esteemed the deliverer of his country, was looked upon to be as black a traitor as the Aquillii and the Vitellii. Shall no man's virtue, continued he, be so fully approved by you, as to be proof against all suspicions? Could I, who have shewn myself an implacable enemy to kings, have reason to fear, that I should be accused even of aiming at the sovereignty? What though I dwelt in the capitol or even in the citadel itself, could I believe that my fellow citizens would dread me? Does my reputation among you depend on such trifles? Is your confidence in me built on so weak a foundation, that you are more concerned about the situation of my house than the conduct of my life? Assure yourselves, Romans, the house of P. Valerius shall not obstruct your liberty, and you need fear no danger from Velia. I will not only remove my house into the plain, but likewise build it at the foot of the hill, that you may dwell above me, a suspected citizen. Let those build their houses on Velia, to whom you can more safely trust your liberty, than to P. Valerius." Accordingly the materials were immediately carried down from Velia, and his house was built at the foot of the hill, where the temple of victory now stands.

VIII. After this the consul made laws which not only cleared him of all suspicions of aiming at the regal power, but had so great an effect the other way, that they made him quite popular, and for that reason he was surnamed Poplicola (*a*). The first law enacted, allowed an appeal to the people from the judgment of the magistrates, and declared both the person and goods of him who should form any plot for usurping the sovereign power, execrable. As these laws were very agreeable to the people, after he had passed them alone, that he might have the sole merit of them, he assembled the comitia for electing a colleague. They chose Sp. Lucretius, who being old and his strength so much decayed, that he could not discharge the duties of his office, died in a few days, and was succeeded by M. Horatius Pulvillus. In some old historians, I do not find Lucretius named as consul, but Horatius is immediately mentioned after Brutus. I believe

they omitted his name because nothing remarkable happened in his consulship. The temple of Jupiter in the capitol was not yet dedicated; therefore the consuls cast lots who should perform that ceremony. The lot fell upon Horatius, and Poplicola marched against the Veientes. The friends of Valerius were more vexed than they ought, that the honour of dedicating so famous a temple should have fallen to Horatius. They therefore tried all means to prevent it, but when they found every thing ineffectual, in the very moment that he was holding the post of the temple, and addressing his prayers to the god, they brought him the melancholy news of his son's death, and that he could not dedicate the temple while his family was in mourning. Whether he did not believe it, or had so much resolution as not to regard the news, I find no sure account, nor is it easy to judge. However it made no impression upon him; only he ordered his son to be buried, and holding the post in his hand, finished the prayer, and dedicated the temple (*b*). These actions the Romans performed in peace and war the first year after the expulsion of their kings. Then was P. Valerius a second time, and T. Lucretius chosen consuls for the next year.

IX. By this time the Tarquins had fled to Lars (*a*) Porsena king of Clusium (*b*). There mixing advice with their entreaties, "They sometimes besought him, not to suffer them, who were descended from the Hetrurians, and of the same blood and name, to live in perpetual exile and poverty: at other times they advised him not to let this practice of expelling kings, which was gaining ground, pass unpunished. Liberty, said they, has charms enough in itself: and unless kings defend their crowns with as much vigour as the people pursue their liberty, the highest must be reduced to a level with the lowest; there will be no distinction of ranks, nor subordination in society: and hence there must be an end to regal government, the most beautiful situation both among gods and men." Porsena thinking that it would be an honour to the Tuscans to establish a king at Rome, and especially one of their own nation, marched towards it with an hostile army. The senate was never before under so great a terror as on this occasion; the power of the state of Clusium was so mighty, and the renown of Porsena so great. Nor did they only dread their enemies, but even their own citizens, lest the common people, through excess of fear, should receive the Tarquins into the city, and accept peace at the expence of their liberty. To prevent this, the senate at that critical juncture made many concessions to soothe their minds. Their first care was to provide provisions, and persons

were sent to the Volsci and to Cumæ (*c*) to buy up corn. And because the tax on salt was farmed at a very high-rate, the monopoly was taken out of the hands of private persons, and intrusted to agents who were to manage it for the public. The common people were freed from all imposts and taxes, which were laid upon the rich, who were able to bear them. "The poor," they said, "paid tribute enough to the commonwealth if they brought up their children." This indulgence of the fathers cemented the affections of all the citizens so firmly, that afterwards, when they were distressed by the siege and famine, both high and low shewed the utmost abhorrence to the very name of king; nor was any man since that able to make himself so popular by indirect practices, as the whole body of the senate was at that time for their good government.

K. When the enemy approached, every body, in order to save themselves, fled out of the country into the city, which they secured with strong guards; so that by the walls on one side, and the Tiber on the other, it seemed sufficiently defended. But the enemy had like to have entered the city by the bridge Sublicius, if the valour of one man, Horatius Cocles, had not that day saved Rome. This hero happened to be sentry on the bridge when he saw the fort Janiculum taken by surprize, and from it the enemy running down from it at full speed, and observing the Romans through fear quitting their ranks and arms, he laid hold of them one by one and pulling them back, beseeching them most earnestly in the name of the gods and man to assist him. He declared, "That their flight would avail them nothing, if they deserted their post; if they left the bridge behind them free for the enemy to pass, there would soon be more of them in the Palatium and capitol, than in the Janiculum: for that reason he advised and charged them to demolish the bridge, by cutting it down, setting fire to it, or any other means whatever. He assured them, on his own part, that he would stand the shock of the enemy, with all the resolution it was possible for one man to do." Having said this, he advanced to the very entrance to the bridge, and being easily distinguished among those who turned their backs and fled, he faced about to engage the enemy hand to hand, and by his surprizing bravery terrified the Hetrurians. Two indeed through a sense of shame staid with him, Sp. Lartius and T. Herminius, men eminent for their birth, and renowned for their gallant exploits. By their assistance he for a short time stood the first shock of danger, and the severest brunt of the battle. But as they, who demolished the bridge, called upon

them to retire, he obliged his companions to withdraw on a few planks that yet remained. Then casting his stern eyes upon all the officers of the Hetrurians in a threatening manner, he sometimes challenged them to fight him one by one, sometimes reproached them all, "calling them the slaves of haughty tyrants, who, regardless of their own freedom, came to oppress the liberty of others." They were at first in suspense, and looked at one another to see who would begin the attack. At length their whole army, stung with shame, advanced, and setting up a shout, threw their javelins at a single enemy from all sides. After receiving all the darts which were thrown at him upon his shield, he continued with the same undaunted resolution, and in the same steady posture, to maintain the bridge. After this they endeavoured to shove him into the water by force, but the crash of the bridge that was broken down, and the shouts of the Romans for joy that they had finished their work, abated their fury a little, and struck a sudden terror into them. When Cocles saw this, he said, "O father Tiberinus, I beseech thee, in the most devout manner, graciously to receive me thy soldier, and these my arms, into thy merciful streams." Having spoke thus, he leaped, armed as he was, into the river; and though many darts fell upon him, yet he swam across it, and escaped safe to his own men; having dared to perform what posterity will be more apt to admire than credit. The public, to testify their gratitude for his uncommon bravery, erected a statue to him in the comitium, and gave him as much land as he could encircle with a plough in one day. Private persons likewise vied with the public, in their zeal to do him honour: for though the scarcity of provisions was great, yet every one, in proportion to the stores he had in his family, saved some part of his own allowance in order to give it to him.

XI. Porsena being repulsed in his first attempt, resolved to turn the siege into a blockade; and after he had placed a garrison in Janiculum, pitched his camp in the plain and on the banks of the Tiber. Then sending for boats from all parts, both to guard the river to prevent the conveying of provisions by water to Rome, and also to transport his soldiers to plunder different places of their dominions as occasion required; in a short time he so harassed the country round the city, that they were obliged not only to remove every thing else, but even to drive their cattle into it, and none dared venture them without the gates. The Romans suffered the Hetrurians to ravage the lands without interruption, more through policy than fear: for Valerius, watching an oppor-

tunity to fall at unawares upon a number of them, when straggling through the fields, let small parties of the enemy escape with impunity, but reserved the weight of his vengeance for more important occasions. Wherefore, to decoy these pillagers, he ordered all his people to drive their cattle the next day out at the Esquiline (*a*) gate, which was farthest from the enemy, presuming that they would procure intelligence of it by some treacherous slaves, who, because of the severity of the famine, and the closeness of the blockade, would not fail to desert. Accordingly they were informed of it by a deserter, and parties more numerous than usual, in hopes of seizing all the cattle, crossed the river. Then P. Valerius commanded T. Herminius with a considerable body of men to lie in ambush two miles from the city on the Gabinian road, and Sp. Lartius with a party of young men lightly armed to post himself at the gate Collina (*b*), to wait till the enemy passed by, and then, by throwing himself behind them, intercept their return to the river. The other consul T. Lucretius marched out at the gate Nævia (*c*) with some companies of soldiers, and Valerius himself led some chosen cohorts down from mount Cœlius, who were first perceived by the enemy. When Herminius heard the noise, he rose out of the ambuscade and fell upon the rear of the Tuscans, who had charged Valerius. The alarm was given at the same time on the right and left, from the gates Collina and Nævia. By this stratagem the plunderers were surrounded and put to the sword; for they were not a match for the Romans in battle, and as all the ways were blocked up, they could not escape by flight: nor after this did the Heturians venture to stroll about the country in such a disorderly manner.

XII. Nevertheless the blockade continued, corn was very scarce, and excessively dear. Porsena hoped too by continuing the siege to take the city, when C. Mucius, a young nobleman, deeming it a disgrace, that as the Romans, when enslaved under kings, had never been confined within their walls by any war, nor besieged by any enemy, should now when a free people be blocked up by these very Heturians, whose armies they had often routed, took a resolution to wipe off that reproach by some great and bold attempt, and at first designed privately to penetrate into the enemy's camp. After this, fearing if he went without the permission of the consuls, or communicating his design to any person, he might be seized by the Roman guards and brought back as a deserter, especially at a juncture when the situation of the city would justify their suspicions, he went to the senate and thus addressed them, "Fathers, I intend to cross the Tiber, and enter

the enemy's camp, if I can; not through a desire of plunder, or to revenge in our turn the devastations they have committed. I am resolved to perform an action greater and more glorious." The senate approved his design, and he set out with a poniard hid under his clothes. When he came thither, he planted himself among the thickest of the crowd, near the king's tribunal. It happened that the soldiers were receiving their pay, and the king's secretary sitting by him, dressed almost as magnificently as his master, was busy in dispatching business, and to him they commonly addressed themselves. Being afraid to ask which of them was Porsena, lest his ignorance should discover him, as fortune blindly directed the blow, he killed the secretary instead of the king. He was going off, and had, with his bloody dagger, made his way through the multitude, amazed at this bold attempt, when the cry was given, and immediately the king's guards surrounded him, seized and brought him back to the presence of Porsena. And now, though he was destitute of all manner of relief, in sight of the most terrible punishments which threatened him, yet with a countenance that struck more terror than it discovered fear, he said to him, "I am a Roman, my name is C. Mucius, who as an enemy would have killed my enemy. I have as much courage to endure death, as to slay another person. It is like a Roman to behave valiantly, and suffer with resolution. I am not the only one who bear this resentment against thee; there is a great number to come after me, who all aspire to the same honour. Therefore, if you chuse it, arm thyself, every moment to run the risk of thy life, and have the sword and enemy in the door of thy tent. This war we the Roman youth denounce against thee. Thou mayest hereafter be afraid of neither army nor battle. With thee alone will we have to do, one after another." When the king, highly incensed, and at the same time terrified at the risk he had run, in a menacing manner, commanded fires to be kindled about him, if he did not speedily discover the plots, which, by his threats, he had darkly insinuated to be prepared against him; Mucius said, "Behold me, that you may be sensible how despicable the body is to those who aim at great glory," and immediately put his hand into the fire that was lighted for the sacrifice. When he continued to broil it as if he had been quite insensible, the king, astonished at this surprising sight, leaped from his throne and commanded the young man to be removed from the altar, saying, "Be gone, thou hast behaved more like an enemy towards thyself than me. I would encourage thee to persevere in thy virtue, if thou hadst exerted the same in behalf of my country. I now

discharge thee, by the law of arms, without any violence or injury." Then Mucius, as an acknowledgment for the king's generosity, said, "Seeing you have such a regard for virtue, as to draw from me, by your generous behaviour, a discovery which you could not extort by force; three hundred of us, the chief of the Roman youth, have conspired to kill you in this manner. It was my lot to attempt it first. The rest will follow each in his turn, and will fall upon you, as soon as they can find a proper opportunity."

XIII. Mucius being dismissed, who was afterwards named Scævola (*a*), from the loss of his right-hand, ambassadors from Porsena followed him to Rome. The risk he had run in the first attempt, in which nothing saved him, but the mistake of him who had lain in wait for him; and the constant dangers he was unavoidably exposed to, in proportion to the number of conspirators, made so strong an impression upon him, that of his own accord he made propositions of peace to the Romans. He endeavoured, but in vain, to insert, among the articles, the restoration of the Tarquins: but he did this rather, because he could not deny their request, than from a persuasion that the Romans would comply with the proposal. He procured the lands of the Veientes to be restored to them, and the Romans were obliged to give hostages, upon condition that the king should withdraw his garrison from Janiculum. Peace being concluded on these terms, Porsena withdrew his troops from that fort, and marched out of the Roman territories. The fathers gave Mucius, as a reward of his valor, lands on the other side of the Tiber, which were afterwards called the meadows of Mucius (*b*). By this regard, which was shewn to his valour, the women were excited to actions, which were greatly for the honour of the public. As the Heturians had pitched their camp near the banks of the Tiber, a young lady named Clælia, one of the hostages, deceiving her keepers, swam over the river, amidst the darts of the enemy, at the head of a troop of virgins, and brought them all safe to their relations. When the king was informed of their escape, he was at first highly incensed, and sent deputies to Rome to demand Clælia to be delivered up to him: for he made little account of the rest; and afterwards, being transported with the admiration of her courage, he said, "That this action exceeded the achievements of even Cocles and Mucius," and gave out, "that as he would look upon the refusal to deliver up Clælia, to be a breach of treaty; so, if she was delivered up, he would send her back safe to her parents." Both sides kept their faith: the Romans restored their hostage according to treaty; and the king of Heturia not only offered



her no injury, but even did honour to her courage; and, after making encomiums on the young lady, promised to give her, as a present, a part of the hostages, and that she should choose whom she pleased. When they were all brought out, she is said to have chosen the young men, who were under age; both because this choice was becoming a virgin, and by consent of the hostages themselves, who agreed to its being most reasonable, they should first be delivered from the enemy, who, on account of their age, were most exposed to their insults. The peace being renewed, the Romans rewarded the uncommon courage of Clælia, by erecting to her, in the top of the Via Sacra, an equestrian statue, representing a virgin on horseback, which was an honour without precedent.

XIV. A custom handed down from the ancients, of selling the goods of king Porsena, whenever a sale is proclaimed by the public, though inconsistent with the peaceable departure of the king of Hettruria from Rome, is still retained among the other solemn usages in our time. This usage must either have begun in time of that war, and been continued after the peace, or it must have taken its rise from a more friendly beginning, than this form of selling goods in an hostile manner imports. The most probable of all the accounts we have concerning the matter, is this, that when Porsena marched from Janiculum, he made a present of his camp, well stored with all manner of provisions brought from the fruitful and adjacent lands of Hettruria, to the Romans. As the city was in great distress, by reason of the long blockade, the goods were sold, for fear the people should have broke into the camp, and rifled them; and were called Porsena's, rather to express their gratitude for that prince's generosity, than to intimate their setting his property to sale, which was not in the power of the Romans to do. Porsena, after ending the war with the Romans, that he might not seem to have led his army into these parts without effecting any thing, sent his son Aruns with a part of his forces to besiege Aricia (*a*). The Aricians were at first terrified at this unexpected invasion; but afterwards, upon sending for assistance from the people of Latium and Cumæ, their hopes were so much raised, that they ventured to give them battle, in which the Hettrurians attacked the Aricians so furiously, that they routed them at the first onset. But the Cuman troops, opposing superior force by an artful stratagem, drew off to one side, and when the enemy had passed by them in great disorder, turned and charged them in the rear. By this means the Hettrurians, when they had almost got the victory, were enclosed and cut to

pieces. A very few of them, having lost their general, because they had no nearer refuge, came to Rome without their arms, in the condition and with the air of suppliants. They were kindly received and entertained. When their wounds were cured, many of them went home and told the civil usage they had met with. Numbers of them, from the love they bore to their hosts and to the city, staid at Rome, and a place was assigned them to dwell in, which they have ever since called *Tusculi Vicus*, or the *Tuscan-street* (*b*).

XV. Then P. Lucretius and P. Valerius were elected consuls. The latter had been twice consul before. This year ambassadors came from Porsena for the last time, to propose the restoration of the Tarquins to the crown. They were answered, that the senate would send deputies to the king; and accordingly they forthwith dispatched some of the principal persons of that order to represent to him, that "though they might have answered his ambassadors in a few words at Rome, that they would not receive the kings, yet they had chose to send the chief men of their body to wait on him, that this proposition might never be mentioned for the future, and that their minds might not be made uneasy at a time when they were receiving so many extraordinary favours from one another, by his requiring what was inconsistent with the liberty of the Roman people, and by their refusing to grant to him, whom they would willingly oblige in every thing, a request which they could not comply with, except they would submit to their own ruin. That the Roman people were not now under the government of kings, but in the full enjoyment of their liberties, and firmly determined rather to open their gates to declared enemies than to them. They all desired, that their city and the freedom they possessed might have the same period. For these reasons, if he wished for the preservation of Rome, they earnestly besought him, to suffer it to remain a free state." The king, overcome by their modest arguments, said, "Seeing you are resolute and bent upon it, I will not press you by a vain repetition of the same proposals; nor will I amuse the Tarquins with the hope of assistance, which I cannot give them. Whether their affairs require peace or war, they must seek for another residence in their exile, that nothing may disturb the peace subsisting between me and you." To these kind promises he added actions that were more generous, for he delivered up their hostages that remained in his hands, and restored to them the land of the Veientes, which had been taken from them by the treaty of Janiculum. Tarquin, cut off from all hopes of returning

to the kingdom, went to Tusculum (*a*) to live in exile with his son-in-law Mamilius Octavius. By these means the peace between Porsena and the Romans was inviolably observed.

XVI. Then M. Valerius and P. Posthumius were chosen consuls. This year a victory was obtained over the Sabines, and the consuls received the honour of a triumph. Upon this the Sabines made greater preparations for war than they had done before. To make head against them the better, and to prevent any surprise from Tusculum, whence they dreaded a war, though it was not yet declared, P. Valerius was created consul a fourth time, and T. Lucretius for the second time. A sedition arising between two factions of the Sabines, the one for making peace, and the other for continuing the war, brought from that state some additional strength to the Romans. For Atta Clausus, afterwards called at Rome Appius Claudius, had always declared for peace, but being hard put to it by those who promoted the war, and finding himself unable to resist the violence of that party, fled from Regillum (*a*) to Rome, and brought with him a great number of his clients. They were made free of the city, and had land assigned them on the other side of the Anio. It was called the old Claudian tribe (*b*), and was increased by the addition of some small tribes which had come from that country. Appius, being chosen into the senate, was soon after advanced to the highest dignity of that order. The consuls entered the territories of the Sabines with an hostile army, and having, both by ravaging their country, and afterwards defeating them in battle, reduced their forces so low, that they had no reason to dread their taking up arms again, they returned to Rome in triumph. The following year, Agrippa Menenius and P. Posthumius being consuls, P. Valerius, whom every body allowed to be the ablest man in Rome, both in the arts of peace and war, died in the height of glory, but so poor, that he had not wherewith to defray the expences of his funeral, and for that reason was buried at the public charge. The ladies mourned for him as they had done for Brutus. The same year two Latine colonies, Pometia and Cora, revolted to the Aurunci. War was commenced against the Aurunci, and after defeating a numerous army of them who boldly met the consuls entering their frontiers, the whole war was confined to the single town of Pometia. Nor after the battle was over, did they spare the lives of the Aurunci more than they had done in the heat of the action: for a greater number were slain than taken, and the prisoners were put to the sword without distinction. And so far did the Romans carry their resentment, that even three hundred

hostages, which they had received, were not saved from military execution. This year the consuls triumphed at Rome.

XVII. The following consuls Opiter Virginus and Sp. Cassius first endeavoured to take Pometia by storm, and afterwards by raising vineæ (*a*) and other works. But the Aurunci, prompted more by an irreconcilable hatred against them, than induced by hopes of success, or tempted by a favourable opportunity, sallied out of the town, and though more of them were armed with lighted torches than swords, filled all places with fire and slaughter. After they had burnt down the vineæ, and killed and wounded many of the enemy, one of the consuls was thrown from his horse, but which of them, authors do not mention, and left on the field almost dead. Upon this defeat the Romans returned to Rome, and the consul was left among many more who were wounded, with very little hopes of his recovery. After a short time employed in curing their wounds, and recruiting their army, they marched against Pometia with a more numerous army than before, and hearts more keenly bent on revenge. When they had repaired the vineæ and other works, and the siege was so far advanced, that the soldiers were on the point of scaling the walls, the town surrendered. Nevertheless the Aurunci were treated with no less severity, than if the city had been taken by assault; for all their nobility were beheaded, the rest of the people sold for slaves, the city razed, and their lands exposed to sale. The consuls obtained the honour of a triumph rather on account of the severe revenge they had taken on the enemy, than the importance of the war they had finished.

XVIII. The following year Posthumius Cominius and T. Lartius were elected consuls. During the celebration of the games at Rome, as some of the Sabine youth, in a frolic, were carrying off some lewd women, the mob rose upon them, upon which, not only a terrible scuffle ensued, but even a battle had like to have happened: and from this inconsiderable affair, the whole nation seemed inclined to renew hostilities. Besides the dread of the Latine war, their fears were augmented on receiving certain intelligence, that thirty different nations (*a*) had entered into a confederacy against them, at the instigation of Octavius Mamilius. While the city was under the utmost concern about the event of these great designs, it was first proposed to nominate a dictator. But it is uncertain in what year this happened, and who were at that time the consuls in whom the Romans put no confidence, because they were said to be in Tarquin's interest; nor is it sufficiently authorised, who was the first that was raised to that

high office. In the most ancient historians, I find that T. Lartius was first created dictator, and Sp. Cassius made his general (*c*) of the horse. They chose men of consular dignity, for so the law, made for the election of a dictator, ordained. For this reason, I am more inclined to believe that Lartius, who had borne the office of consul, was appointed as a governor and master to the consuls, rather than Manius Valerius the son of Marcus, and grandchild of Voesus, who had not yet attained to that dignity. For, had they intended to chuse a dictator of that family, they would much rather have pitched upon his father Valerius, a consular person, and a man of distinguished merit. Upon the creation of the dictator first at Rome, when the common people saw the axes carried before him, they were struck with great awe and dread, and became more submissive and ready to obey his orders. For they could not now, as under the government of consuls, whose power was equal, expect protection from one of them, or appeal to the people; there was no resource but in a ready submission to his will. The nomination of a dictator at Rome terrified the Sabines, and did it the more effectually, because they thought he was created on purpose against them. Wherefore they sent ambassadors to sue for peace, earnestly intreating the dictator and senate to pardon the young men's offence. They were answered, that they could easily forgive the young, but not the old men, who continually raised one war after another. Nevertheless they continued to treat about a peace, and it would have been granted, if the Sabines, according to what was demanded of them, would have consented to reimburse the expences of the preparations which the Romans had made. War was proclaimed, but a truce privately concluded prevented hostilities for that year.

XIX. In the consulship of Servius Sulpicius and M. Tullius nothing remarkable happened. Their successors were T. Æbutius and C. Vetusius. In their consulship, Fidenæ was besieged, Crustumeria taken, and Præneste revolted from the Latines to the Romans. Upon this the Latine war, which had been gathering for some years, immediately broke out. A. Posthumius dictator, and T. Æbutius his general of the horse, marching with a numerous army of horse and foot to the lake Regillus (*a*) in the country of Tusculum, met the enemy's forces, and upon hearing that the Tarquins were in the army, were so transported with fury, that they came immediately to an engagement. This occasioned a very obstinate and bloody battle. For the generals were not content to give proper orders, but even charged one

another fiercely, and exposed their persons in the hottest of the action. And there were hardly any of the principal officers of either side who came off unwounded, except the Roman dictator. As Posthumius was drawing up his men and encouraging them to fight, Tarquin the Proud, though his strength was decayed, and he was become unwieldy by age, rode up at full speed and with great fury to attack him; but he received a wound in the side, and was carried off by his own men who came quickly to his relief. In the other wing, Æbutius general of the horse, had charged Octavius Mamilius; nor did the Tusculan general, who observed him coming, decline the engagement, but briskly spurred on his horse to encounter him. And with such impetuosity did they push their spears against one another, that Æbutius was ran through his arm and Mamilius through his breast. The Latines received him into their second line; but as Æbutius was not able to wield his lance with his wounded arm, he retired from the battle. Mamilius, not in the least discouraged with the wound he had received, animated his men, and upon seeing their courage begin to fail, sent for a company of Roman exiles to support them, commanded by Tarquin's son. These men having been banished from their native country, and lost their estates, fought with the greater fury, and by that means renewed the battle for a short time.

XX. When the Romans were beginning to give ground on that side, M. Valerius, brother to Poplicola, having observed young Tarquin boldly braving it at the head of his exiles, fired with the renown of his family, and ambitious that the house which had the honour of expelling the kings, should also have the glory of killing them, clapped spurs to his horse, and in great wrath threw a javelin at him. Tarquin avoided his formidable enemy by retiring into a battalion of his own men. Valerius rushed furiously among the exiles, one of whom ran him sideways through the body. As the wound he received did not in the least stop the career of the horse, the expiring Roman fell to the ground and his arms fell above him. Posthumius the dictator, seeing this hero killed, the exiles advancing boldly in a body, and observing his own men disheartened and giving ground, gave the signal to his own cohort, a brave body of men chosen for the defence of his person, to treat every Roman soldier, who should fly from the battle, as an enemy. Upon this the Romans, finding themselves exposed to equal danger both in front and rear, stopped their flight, rallied, and faced the enemy. And now the dictator's guards, who had not engaged before, with fresh vigour and undaunted resolution

fell upon the wearied exiles and cut them to pieces. Then the commanding officers on each side engaged a second time. The Latine general, seeing the exiles on the point of being surrounded by the Roman dictator, advanced in haste to the front with some companies of the body of reserve. T. Herminius saw them moving forwards, and as he well knew Mamilius, distinguished from the rest by his armour and dress, attacked him with a force so much superior to that wherewith the general of the horse had lately encountered him, that at the first push he ran him through the side and slew him. While he was stripping the body of his enemy, he himself received a wound with a javelin; and though brought back to the camp victorious, yet he died on the first dressing of it. Then the dictator flew to the cavalry, and intreated them in the most pressing terms, as the foot were tired out with fighting, to alight from their horses and fall on. They obeyed his orders, dismounted, flew to the vanguard, and covered those front ranks with their round bucklers. The foot immediately took courage, when they saw the young noblemen serving on foot, and exposed to the same dangers with themselves. Thus at length were the Latines beaten back, and their hearts failing them, they retreated. The cavalry remounted, that they might the better pursue the enemy, and the infantry likewise followed. On this happy turn of affairs, the dictator, omitting nothing that could conciliate the assistance of gods and men, is said to have vowed a temple to Castor, and likewise to have promised rewards to the first and second man who should enter the enemy's camp. And such was the ardour of the Romans, that they continued to charge the enemy with the same vigour wherewith they had routed them in the field, till they made themselves masters of their camp. This was the success of the battle at the lake Regillus. The dictator and general of the horse returned to the city in triumph.

XXI. For the next three years there was neither any settled peace nor open war. The consuls were Q. Clælius and T. Lartius. After them A. Sempronius and M. Minucius. In their consulship, a temple was dedicated to Saturn, and the (*a*) Saturnalia appointed to be kept as a festival. Then A. Posthumius and T. Virginus were chosen consuls. In some authors I find that the battle at the lake Regillus happened in this year, and that A. Posthumius, because the fidelity of his colleague was suspected, laid down his office, and upon this resignation was created dictator. Such great mistakes in chronology are intermixed with the history of these times, while some writers rank the magistrates in one order and some in another, that, according to several of them,

it is impossible to give a distinct account, who were consuls, and in what particular year every remarkable action happened, by reason of the antiquity, not only of the facts, but also of the historians who relate them. Then Ap. Claudius and P. Servilius were elected consuls. This year was remarkable for the news of Tarquin's death. He died at Cumæ, whither he had fled to the tyrant Aristodemus, after the reduction of the power of the Latines. The fathers and people were very joyful on receiving the news of his death. But the senators expressed their satisfaction in too extravagant a manner, for the chief men among them began to oppress the people, whom they had to that day studied to serve and oblige to the utmost of their power. The same year the colony which Tarquin had sent to Signia was recruited by a new supply of planters. The tribes at Rome were encreased to twenty one. And the temple of Mercury was dedicated the fifteenth of May.

XXII. During the Latine war, the Volsci had neither strictly observed peace nor declared open war against the Romans. For they got ready their troops to send to the assistance of the Latines, if the Roman dictator had not had the start of them, by making all possible expedition, that he might not be obliged to engage with them both at the same time. To resent this, the consuls marched their army into the lands of the Volsci, who, apprehending no punishment for their intention to assist their allies, were the more alarmed at this sudden invasion; and without having recourse to their arms, gave three hundred children of the principal men of Cora and Pometia as hostages for their good behaviour. Upon this the Romans left their country without coming to any action. Soon after, when the Volsci were delivered from their fears, they returned to their natural temper, and having entered into an alliance with the Hernici, made secret preparations for war. They likewise sent ambassadors all over the country to engage the Latines to join with them. But the late defeat which that people had received at the lake Regillus, inflamed them with so strong an aversion and hatred against every one who advised them to take up arms, that they did not even spare the ambassadors themselves. They seized them and sent them to Rome. There they delivered them to the consuls, whom they informed that the Volsci and Hernici were preparing war against the Romans. When this affair was reported to the senate, the behaviour of the Latines was so agreeable to the fathers, that they sent back six thousand of their prisoners, and referred, to the new magistrates, the conclusion of a treaty with them, which they had till this time almost con-



stantly refused. Upon this indeed the Latines were heartily glad at what they had done, and those, who had advised them to keep the peace, were in high esteem. They sent a crown of gold to the capitol as an offering to Jupiter. A great number of those prisoners, that had been sent home to their relations, came along with the ambassadors, who brought this present. They went to those persons whose slaves they had been, and thanked them for the generosity and kindness they had shewn them, during their captivity. To these marks of union they added mutual hospitality. And never was the Latine name more closely united to the Roman state, either by public or private gratitude.

XXIII. But the Volsci threatened them with a war, and the city being divided into factions, was enflamed by the deadly aversion which the senators and people had to one another. This hatred was occasioned between them by the (*a*) debtors being, for default of payment, bound to serve their creditors, till satisfaction was made. They complained loudly, that they who fought abroad in defence of liberty, and for the enlargement of the state, should be seized and distressed by their fellow-citizens at home; and affirmed, that the freedom of the commons was safer in war than in peace, and among enemies than their own countrymen. Their resentment, which naturally spread of itself, was kindled into a flame by the remarkable calamity of one person. An old man came into the forum with the marks of all the miseries he had suffered. His clothes were nasty and greasy, but his body in much worse plight, being pale and feeble with leanness; besides, his long beard and shaggy hair made his countenance look wild and hideous. However, he was known in this miserable condition, and it was said he had been a centurion, and out of compassion to him, the people proclaimed openly other military honours he had gained. He shewed them the scars on his breast, as a proof of his having behaved bravely on several occasions. When the people crowded round him, as if they had been summoned to an assembly, and asked him how his body came to be so lean, and his clothes so dirty, he answered, "that when he was serving in the war against the Sabines, he not only lost all the fruits of his land by the depredations of the enemy, but his house had been burnt, all his effects rifled, and his cattle carried off: that a tax had been imposed at a very unlucky time for him, and for the payment of it he had been obliged to borrow money; that interest (*b*) being accumulated upon interest, he had first stripped himself of the estate which had belonged to his father and grandfather; that then he had given up every thing he had,

and that at last the disease, like an infection, had reached his body; that his creditor had seized him, and had not treated him as a slave, but confined him to a house of correction and torture." Then he shewed them his back deformed with the marks of the blows he had received. Upon this a great outcry was raised. The tumult was no longer confined to the forum, but spread through all parts of the city. Those who were confined for debt, and those who had been confined but were now at their liberty, hurried into the streets, and implored the protection of the people. In all places, mutinous persons find abettors, and associates ready to join them. They ran through all the streets in crowds to the forum with great shouts. The fathers, who happened to be there, were in great danger from the mob, who would certainly have fallen upon them, had not the consuls P. Servilius and Ap. Claudius come in haste to quell the riot. The multitude turned towards them, and shewing their chains and ghastly faces, said these were the rewards of their services, and upbraided them with the campaigns they had made in different places. They required them with menaces, rather than the air of suppliants, to assemble the senate, and stood round the house in a body, determined to direct and overrule their deliberations. Very few senators were present, only those that happened to be on the spot assembled with the consuls; fear prevented the rest from coming not only to the house, but even to the forum. The senate could do nothing for want of a sufficient number. Upon this the people began to think their demand was eluded, and the redress of their grievances delayed; that the senators had absented, not through chance or fear, but on purpose to hinder the affair. They said the consuls trifled with their petition, and openly made sport of their miseries. By this time the sedition was come to such a height, that the majesty of the consuls could hardly restrain the violence of the mutineers. Wherefore the senators, uncertain whether they exposed themselves to greater danger by staying at home, or venturing abroad, came at length to the senate; but though the house was full, the fathers were not unanimous, even the consuls themselves were divided in their sentiments. Appius, a man of a violent temper, thought the matter was to be done by the authority of the consuls, and that if one or two of the most seditious were seized, the rest would be quiet. Servilius, who was more inclined to moderate measures, thought that while their minds were in this ferment, it would be more safe and easy to bend than to break them. Amidst these debates, they were alarmed with something that was more terrible.

XXIV. Some Latine horse came full speed to Rome, and brought the disagreeable news that the Volsci were marching with a hostile army, to besiege the city. This news was received by the senate and the people quite in a different manner, so far had civil discord divided the same city into different factions. The people rejoiced exceedingly at it, and said, that the gods joined to chastise the pride and insolence of the fathers. They encouraged one another not to list, saying, "it was better the whole state should be destroyed, than that they should perish alone. Let the patricians take arms and fight themselves, that they who reap benefits from war, may be exposed to the dangers of it. But, on the other hand, the senate, dispirited and dreading both citizens and enemies, earnestly intreated the consul Servilius, who was a more popular man than his colleague, to deliver the commonwealth from the imminent dangers that threatened it. This consul, having dismissed the senate, went to an assembly of the people, where he assured them "that the fathers would take care of their interests. But while they were deliberating upon proper measures for the relief of the people, who were indeed the greatest, and yet but a part of the society, the whole state had been alarmed with fears; that as the enemy were advanced almost to their gates, they could do nothing till the conclusion of the war; and though there had been longer time, it would not be honourable for the people to refuse to take up arms in defence of their country except they were paid beforehand; nor consistent with the dignity of the fathers to relieve the estates of their fellow-citizens encumbered with debt, rather through present fear, than afterwards to do it voluntarily, and upon mature deliberation." And to convince the assembly of the sincerity of their intentions, he published a proclamation, which forbad, "the detaining of a Roman citizen, either in prison or in chains, to hinder his listing himself under the consuls; and that nobody should either seize or sell the goods of any soldier, while he was in the camp, or arrest his children, or grand-children." As soon as this ordinance was published, the debtors who were present immediately entered their (*a*) names, and great numbers from all quarters of the city, as their creditors could not detain their persons, came out of their lurking places, and crowded into the forum, to take the military oath (*b*). These made up a considerable body of men, and none behaved with more courage, or were more useful in the war against the Volsci. The consul led out his army against the enemy, and pitched his camp at a little distance from them.

XXV. The next night the Volsci, relying on the discord that prevailed among the Romans, made an attempt on their camp, to see if any of them, under cover of the night, would either betray the rest, or come over to them. The centinels on guard perceived their design; the army was alarmed, and the signal being given, ran to their arms. By this means the Volsci were disappointed, and both sides remained quiet the rest of the night. The next morning, at day-break, the Volsci, having filled the ditches, attacked the rampart. They had already begun to break down the pallisadoes of the camp on all sides, when the consul, though his men from every quarter, but especially the debtors, cried out to him to give the signal, delayed a little to try the goodwill of his soldiers; but being convinced of their ardour, he gave the word of command, and let out his men, who were impatient for the battle. The enemy were routed at the first charge; the foot pursued, and slew all those they were able to overtake, and the horse drove the rest in great consternation to their camp. The legions immediately invested it, and as the Volsci left it in a panic, it was taken and plundered. The day after, the army marched to Suessa Pometia, whither the enemy had fled; the city was taken in a few days, and given to be plundered by the soldiers, which proved some relief to their present want. The consul brought back his victorious army to Rome with the greatest glory; but before he set out for the city, the deputies of the Ecetrans, who were a part of the Volsci, after the taking of Pometia, dreading the ruin of their state, came to him. By a decree of the senate peace was granted them, but all the property of their lands was taken from them.

XXVI. Immediately after the conclusion of this peace, the Sabines put the Romans in a fright; but it was rather a tumult than a war. The city was alarmed in the night with an account that the Sabine army was advanced as far as the river Anio, ravaging the country, and that they there plundered and burnt all the farm-houses without mercy. Upon receiving this news, A. Posthumus, who had been dictator in the Latine war, was immediately sent against them, with all the horse. The consul Servilius followed him, with a choice body of foot. The cavalry cut off most of the stragglers; nor did the Sabine legions make any resistance against the foot, when they came up with them. Being tired with their march, and plundering the country in the night, and a great number of them being overcharged with eating and drinking in the peasants' cottages, they had not even strength sufficient to fly. Having thus received the news of the Sabine war, and of

its being finished in one night, the next day, when the Romans were in great hopes that they had secured peace with all their neighbours, the (*a*) Aurunci came to the senate, threatening them with an immediate declaration of war, if they did not withdraw their troops from the territory of the Volsci. At the same time that the deputies set out for Rome, their army had likewise begun its march thither. The report of its being seen not far from Aricia, occasioned so much confusion at Rome, that the senate could not be regularly consulted, and their hurry in arming themselves would not suffer them to give a deliberate answer to the Aurunci, who had invaded their dominions. They marched to Aricia with a resolution to fight, came to an engagement not far from that city, and in one battle put an end to the war.

XXVII. After the defeat of the Aurunci, the people of Rome, who had finished so many wars successfully in a few days, expected that the senate and the consul would perform their promises. But Appius, both through his natural pride, and a design to make void the engagements of his colleague, put in execution the laws against those, who had borrowed money, with the utmost rigour. And from this time, those who had been in the prisons of their creditors, were delivered up to them again, and others also were put into their hands. When this happened to a soldier, he applied to Servilius for assistance, and every body ran to him for relief. They represented to him the promises he had made, and all of them upbraided him with the services they had done in war, and shewed him the scars of the wounds they had received. They loudly called upon him to lay the matter before the senate, and conjured him, as he was consul, to relieve his fellow-citizens, and, as general, to protect his soldiers. These things filled the consul with compassion, but the situation of affairs obliged him to seek for pretexts to put it off; for not only Appius but the whole body of the patricians opposed him with all their might. And thus by endeavouring to manage both parties, he neither escaped the odium of the people, nor gained the favour of the senate. The fathers looked upon him as a weak ambitious man, and the people considered him as a rogue. And it soon appeared that he was as odious to them, as Appius himself. A dispute had happened between the consuls about the dedication of a temple to Mercury. The senate referred the affair to the people, and ordained that whoever of them should be chosen to dedicate the same, should have the care of furnishing the city with provisions, establish a company of (*a*) merchants, and perform the functions of a pontifex maximus within the verge

of that temple. The people gave the dedication of it to M. Lætorius the first (*b*) centurion of a legion, that it might plainly appear to every body, that they did not intend so much to do him honour, by conferring on him an office above his rank, as to affront the consuls. Upon this the fathers and Servilius the other consul were provoked to the highest degree. But the people took courage, and proceeded in a manner quite different from what they had at first intended. For when they despaired of obtaining redress of their grievances from the consuls and senate, upon seeing a debtor arrested, they flew from all quarters to his relief. They set up such shouts, and made such a clamour, that the consul's decree could not be heard, and after he had passed sentence, no body obeyed it. They did every thing by force and violence, and when any single debtor was arrested by several officers in presence of the consul, all the fear and danger of losing their liberty changed sides, and went from the debtors to the creditors. During these dissensions, the dread of the Sabine war alarmed them, and when a levy was decreed, no body listed themselves. Appius was enflamed with the most violent rage, and bitterly inveighed against the popular arts of his colleague, who by his silence, in complaisance to the people, betrayed the republic, and besides his not passing sentence against the debtors, had likewise neglected to raise the levies, after they had been voted by the senate. Yet he declared, that "the commonwealth was not entirely abandoned, nor the consular authority exposed to contempt. That he alone would support the majesty of the fathers, and the dignity of his office." When the mob, emboldened by their daily licentiousness, stood round him, he commanded a noted ringleader of the sedition to be apprehended. As the lictors were carrying him off, he appealed to the people; but the consul knowing well what their judgment would be, would have over-ruled the appeal, had not his obstinacy with great difficulty been overcome more by the counsel and authority of the leading men of the senate, than by the clamours of the people; so much resolution he had to bear the weight of their odium. The breach grew every day wider, and they not only continued their daily clamours, but, which was far more dangerous, began to make a secession and to hold secret meetings. At length the consulate of Servilius and Appius, both odious to the commons, expired: the latter was highly esteemed by the fathers, but the former was beloved by neither party.

XXVIII. Then A. Virginus and T. Vetusius began to act as consuls. Upon this the commons, uncertain how the consuls

would be disposed, held nightly meetings, some of them upon the Esquiline, and others upon the Aventine hill, that they might not be surprised into any hasty resolutions when they should be assembled in the forum, or take their measures inconsiderately and without concert. The consuls, rightly judging these proceedings to be of dangerous tendency, laid the matter before the senate. But they could not prevail on them to take the affair regularly under their consideration; for when the motion was made, the senators on all sides filled the house with clamours, and were greatly enraged, that the odium of putting the laws in execution, which belonged entirely to the consular office, should be thrown upon them. They cried out, "That if ~~there~~ were really any proper magistrates at Rome, there would be only one public council there; that the republic was now divided and split into a thousand senate-houses and assemblies, some of which were held on the Esquiline, others on the Aventine hill." They affirmed with oaths, that one man of resolution, such as Appius Claudius, for he had more weight than a consul, would in a moment disperse these private meetings. The consuls, nettled at these reproaches, asked the senate what they should do, assuring them they would execute their decrees with the utmost vigour and dispatch. The senate immediately resolved that they should push on the levies briskly, the people being grown riotous through idleness. When the house broke up, the consuls ascended their tribunals, and called over the names of the young men. But none of them made any answer, and the people standing round them, as if they had been summoned to an assembly, said, "That they would no longer be imposed on by the senate; they should never list one soldier, till the public faith was made good; that they should restore their liberty, before they gave them arms, that they might fight for their country and fellow citizens, and not for arbitrary lords." The consuls fully understood the orders they had received from the senate, but they saw none of those who had talked so big within the walls of the senate-house, present themselves to take any share with them in the public odium. They found also that they were like to have a hot dispute with the commons about it. Therefore, before they would have recourse to extremities, they thought it advisable to consult the senate a second time. It was no sooner moved, but the younger senators flocked in a hurry round the chairs of the consuls, commanding them to abdicate the consulate, and resign an office, which they had not courage to support.

XXIX. Having sufficiently tried both ways, the consuls at length said, "Conscript fathers, that you may not pretend ignorance, there is a great mob assembled. We require that they who accuse us most severely of cowardice, would assist us in raising the levies. Since you advise violent measures, we shall proceed according to the resolution of the most intrepid amongst you." Upon that they returned to their tribunals, and on purpose commanded one of the most factious of the people, who stood in their view, to be called upon by name. As he did not move, and the mob stood round him in a ring, to prevent his being seized, the consuls sent a lictor to lay hold of him. When the mob repulsed the officer, the fathers, who were present, exclaimed against it as an intolerable insult, and ran in a hurry from their seats to assist him. But the multitude having only hindered the lictor from seizing the man, then turned their resentment against the senators; but the riot was quelled by the interposition of the consuls; and as no stones or darts were thrown in the scuffle, there was more noise and angry words, than mischief done. The senate was called in great disorder, and the affair laid before them in greater. Such as had been repulsed, called out for a question, and the most violent members declared their sentiments no less by their clamours and noise than by their votes. At length, when their passion subsided, and the consuls had upbraided them with their conduct, by telling them that the same phrenzy prevailed in the senate as in the forum, the house began to return to order. There were three different opinions offered: P. Virginius proposed, "that the act of grace should not comprehend all the debtors, but should extend only to those who, relying on the promise of P. Servilius the consul, had served in the war against the Aurunci and Sabines." Titus Largius was of opinion, "That it was not now a proper time to reward services only. He said, all the people were drowned in debt, and that a stop could not be put to these disorders, if there was not a general release; and that if any of them were excepted out of the act, the divisions would rather be thereby inflamed than composed." Appius Claudius, who was naturally severe, and, by the hatred of the commons and praises of the fathers, was become quite intractable, said, "That these audacious riots proceeded from licentiousness, and not from any real grievances; that the people were wanton, and not oppressed; that this terrible mischief took its rise from the law which allowed appeals to them; that the consuls could only threaten, but had really no authority, while offenders might appeal from them to those who were associates in the crime.



Come," added he, "let us create a dictator from whom there lies no appeal, and this flame, which hath set every thing on fire, shall immediately be extinguished. Let any one dare then to beat a lictor, when he shall know that his back, and even his life, are in the power of that person whose authority he has affronted."

XXX. Many thought Appius's opinion, as it really was, too severe and violent. On the other hand, that of Virginius and Largius opened a way for dangerous precedents; especially that of the latter, which they thought would ruin all manner of credit. The opinion of Virginius was reckoned more moderate, and a happy medium between the other two. But by force of party-spirit and self-interest, which always have and will eternally obstruct every design that is calculated for the public good, Appius had a majority on his side, and was near being created dictator; which step would certainly have alienated the commons at this dangerous juncture, when the Volsci, the *Æqui* (*a*), and the Sabines, happened to be all in arms at the same time. But the consuls and senators took care to commit this office, which was of itself unlimited, to a moderate man; for they chose Manius Valerius, the son of Volesus, dictator. The people, though they saw that this magistrate was created to keep them in subjection, yet, as they had got the right of appeal by his brother's law, dreaded nothing oppressive or tyrannical from that family. Their hopes were afterwards confirmed by an edict of the dictator's, which was almost the same with that published by the consul Servilius. But they judged it safer to confide in him, and in the absolute power with which he was vested, and therefore they listed themselves without any opposition. Ten legions were levied, which was a greater army than had ever been raised before. Each of the consuls had three legions assigned him, and the dictator commanded four. Nor could the war be staved off any longer, for the *Æqui* had made incursions upon the lands of the Latines, whose deputies begged the Romans either to send them assistance, or to allow them to arm in their own defence. It seemed more advisable to send forces to protect them, than to allow them to defend themselves by taking up arms. Wherefore Vetusius the consul was sent to their assistance, which immediately put a stop to the devastations of the enemy, who retired from the champaign country, and depending more on the advantage of the ground, than on the strength of their arms, secured themselves by keeping on the tops of the mountains. The other consul marched against the Volsci, and being unwilling to waste time, by ravaging their lands without mercy, challenged

the enemy to pitch their camp near to his, and to come to an action. Both armies stood in battalia before their lines in a plain between the two camps. The Volsci were somewhat superior in number, which made them despise the enemy, and run forward to charge them. The Roman consul neither made his men advance, nor suffered them to return the enemy's shouts; he ordered them to stand still with their spears fixed in the ground, and when the enemy came up, to draw their swords, and fall upon them with all their force. The Volsci being spent with running and shouting, set upon the Romans as if they had been quite dispirited through fear; but when, contrary to their expectations, they found they vigorously returned their charge, and saw their swords glittering before their face, they turned their backs in great disorder, as if they had fallen into an ambuscade. But their strength was so spent with running to engage the enemy that they were not able to fly. The Romans, on the other hand, as they had not stirred from their ground in the beginning of the action, being fresh and vigorous, immediately overtook the Volsci, who were quite spent and weary. They took their camp by assault, and, after driving them thence, pursued them to (b) Velitræ, into which the conquered and conquerors entered at the same time. By the promiscuous slaughter which was here made of all ranks, there was more blood spilt than in the battle. A small number of them, who threw down their arms and surrendered, had quarter given them.

XXXI. During these transactions amongst the Volsci, the dictator was employed against the Sabines, who were the most powerful enemy the Romans had. Them he routed and pursued to their camp, which he likewise took. He had broke the main body of their army, by charging them with his cavalry; for, by extending their wings too far, they had not made their ranks close enough in the centre. The foot fell upon them in this confusion, their camp was taken, and the war ended at one blow. This was the most memorable battle since the action at the lake Regillus; and the dictator entered the city in triumph. Besides the usual honours, a distinguished place with a curule chair was allotted to him and his descendants, at the celebration of the public games in the circus. The lands of Velitræ were taken from the conquered Volsci, and a colony sent from Rome thither. Soon after there was an engagement with the Æqui, but contrary to the inclinations of the consul, because it was difficult to come at the enemy, who were very advantageously posted. But the soldiers complaining that the war was on purpose spun out,

that the time of the dictator's authority might expire before they returned home to the city, and so his promises might be rendered ineffectual, as those of Servilius had been, forced him rashly to march his army up the hill. This imprudent step, by the cowardice of the enemy, was crowned with success; for before the Romans came within reach of a dart, the Æqui, quite amazed at their bravery, abandoned their camp, which was situated in a very strong place, and ran down into the vallies that lay behind them. In it abundance of booty was found, and the victory was gained without any bloodshed. After all these brave exploits, and three different wars successfully ended, both the fathers and the people were extremely solicitous about the event of their domestic disputes. But the usurers had beforehand so concerted their measures, that by their interest and artful management, they not only baulked the people of their hopes, but even the dictator himself. For Valerius, after the return of the consul Vetusius, before he proceeded to any other business, made a motion in favour of the victorious commons, and proposed a bill for the relief of insolvent debtors. But his motion being rejected, he said, "I find that I offend you by advising peaceable measures. By Hercules, you will soon wish that the Roman people had patrons like me. As for myself, I will not any longer deceive my fellow citizens, nor will I bear the office of dictator in vain. Intestine broils and foreign wars made this office necessary for the preservation of the state. We have made peace with our neighbours, but our domestic quiet is obstructed by you. I shall chuse rather to be a spectator of these dissensions, in a private station, than to be concerned in them as dictator." Upon this he went out of the house, and abdicated his authority. The plebeians saw plainly the reason of his conduct, and that he was greatly vexed at the disappointment they had met with, and had resigned his office on that account. Wherefore as he had done his utmost to serve them, they conducted him home with loud shouts and acclamations, as if he had actually discharged his promise.

XXXII. Upon his resignation the senate were afraid, that if the army should be disbanded, the commons would again begin to hold secret meetings and form plots. For this reason, though the levies had been made by the dictator, yet because the legions had taken the oath (*a*) to the consuls, they thought they were still bound to obey them, and on pretence that the Æqui had renewed the war, ordered them to be led out of the city. This occasioned an immediate sedition. It is said that the soldiers at

first had some thoughts of killing the consuls to free themselves from their oath; but being informed that no criminal means could loose them from their obligation, by the advice of one Sicinius, without any orders from the consul, they withdrew to the sacred (*b*) mountain, on the other side of the Anio, three miles from the city. This account is more universally believed than that of Piso, who says, they retired to the Aventine hill. Having fortified their camp with a moat and rampart, they continued quiet for several days without any general, and neither gave nor received any provocation, nor did they take any thing but what was necessary for their subsistence. The city was in the utmost consternation, and through mutual fear of one another, both parties were unresolved what course to take. The commons who had been left in it by those of their party, dreaded the severity of the senators, who, on the other hand, not knowing whether the commons would chuse to stay or go, were equally afraid of them. They asked one another how long the seceders would remain quiet? What would be the consequence, if any foreign war should break out in the mean time? They owned, that there were really no hopes of saving the state, but by reuniting it; and for that reason the people were to be reconciled and made their friends at any rate. In pursuance of this resolution, they agreed to send as a deputy to them Menenius Agrippa, who was a good speaker and beloved by the commons, as being born of a Plebeian family. When he was admitted into the camp, he is said to have told only the following fable, in that rough and unpolished manner which was usual among the ancients. "On a time, when the members of the human body were not united under the same head, but had each of them a distinct understanding and language, the other parts were offended that they should undergo so much toil, labour, and drudgery, for the sake of the belly; whilst it, being placed in the midst of them, indulged its ease and did nothing but enjoy the pleasures which they procured for it. Upon this they conspired that the hand should not carry the meat to the mouth, nor the mouth receive what was brought to it, nor the teeth chew it. That while they through resentment designed to starve the belly, these very members and the whole body languished away. That upon this it appeared that the belly was of no small service, and nourished the other parts no less, than it was nourished by them; and that after digesting the food, it conveyed to all the parts of the body, by means of the veins, that blood duly prepared by which we live and are preserved in vigour." By comparing this intestine sedition among the members of the

human body, with the resentment of the people against the senate, he is said to have softened their minds.

Then they began to treat about a reconciliation, and among other conditions, the people were allowed to have proper magistrates of their own, whose persons were to be sacred, and who were to protect them against the power of the consuls. The senators were likewise declared incapable of being elected into that office. Upon this, two tribunes (*a*) of the people were created, who were C. Licinius and L. Albinus, and they chose three colleagues for themselves. Sicinius, the ring-leader of the mutiny, is said to have been one of them; but historians are not agreed about the other two. Some of them say, that there were only two tribunes elected on the sacred mountain, and that the law (*b*), whereby their persons were made sacred, was enacted there. During the secession of the commons, Sp. Cassius and Posthumus Cominius began their consulate, and this year a treaty was concluded with the Latine nations. One of them staid at Rome to ratify it, and the other, being sent against the Volsci, routed the Antiates, drove them into the town Longula (*c*), and made himself master of it. Then he took Polusca (*d*), another city belonging to them, and after that laid close siege to Corioli (*e*). There was at that time in the camp, among the young noblemen, one C. Marcius, a youth of abilities and personal bravery, who was afterwards surnamed Coriolanus. He happened to be on guard, when the legions of the Volsci, marching from Antium, fell suddenly upon the Roman army engaged in the siege of Corioli, and solely intent upon the motions of the townsmen pent up in the city, because they were under no apprehension of any enemy from without. The besieged made a sally at the same time. But Marcius, at the head of a choice body of men, not only repulsed those who sallied from the town, but furiously rushed in at a gate which they had opened, and having put to the sword every body that he met with in the nearest part of the city, he hastily snatched up some fire, and threw it upon the buildings that overlooked the wall. The cries of the townsmen, and the shrieks of the women and children, upon the breaking out of the flames, encouraged the Romans, and disheartened the Volsci, who found the city taken which they had come to relieve. Thus they put the Volsci to flight, and made themselves masters of Corioli at the same time. And so much was the reputation of the consul eclipsed by the gallant behaviour of Marcius, that if the treaty made with the Latines by Sp. Cassius alone, in the absence of his colleague, and engraven on a pillar of brass, had not been

a lasting proof that Posthumus Cominius commanded in the war against the Volsci, his concern in that expedition would have been quite forgotten. This year Menenius Agrippa died, a man who had been all his life beloved both by the senate and people, but much dearer to the latter after their secession. And though he had been a mediator between his fellow-citizens, and the decision of their disputes had been referred to him, though the senate had sent him as their delegate to the commons, and though he had brought them back into the city, yet he had not wherewithal to defray the expences of his funeral. He was buried at the charge of the people, who for that purpose assessed themselves, each in the sixth part of an as (*f*).

XXXIV. T. Geganius and P. Minucius were elected consuls for the following year. And though the state was disturbed by no foreign enemy, and all domestic troubles were composed, it was distressed by a calamity more grievous than either. During the secession of the commons, the tillage of the lands had been neglected, and this made provisions at first dear; this scarcity was followed by a famine as severe as if the city had been besieged. It must certainly have ended in the destruction of the slaves, and even of the commons, had not the consuls taken care to relieve them, by dispatching persons to all the countries round to buy up corn. The violent hatred of their neighbours obliged them thus to seek relief from these remote countries. After they had bought some corn at Cumæ, Aristodemus the tyrant, heir to the Tarquins, seized their ships by way of reprisal for their effects, which the Romans had detained. They could buy no corn among the Volsci, and in the country of Pomptinus (*a*), the purveyors were in danger of being insulted by the inhabitants. However some was brought down the Tiber from Tuscany, to supply the present wants of the common people. During this scarcity of provisions, they had been distressed with a dangerous war, if a terrible plague had not broke out among the Volsci, when they were just preparing to begin hostilities. The enemy were so much dejected with this calamity, that even after the violence of it was over, they were not quite recovered from their fright, and the Romans increased their colony at Velitræ, and sent a new one into the mountains of Norba (*b*), which is a peak in Pomptinus. After that, in the consulship of M. Minucius and A. Sempronius, a great quantity of corn was imported from Sicily, and there was a debate in the senate concerning the price at which it should be sold to the people. Many thought it was a proper time for oppressing the commons, and recovering those rights which they had extorted

from the senate by their secession and violence. Among the zealous sticklers for this opinion, were Marcius Coriolanus, a declared enemy to the power of the tribunes. He said, "If the people desire to have corn at the old price, let them restore to the fathers their ancient privileges. Why should I, as if I had been put under the yoke, and ransomed from robbers, see these plebeian magistrates? why do I see Sicinius invested with power and authority? Why should I bear these insults longer than it is necessary? Shall I, who did not endure king Tarquin, suffer Sicinius? Let him secede, and draw the people after him; the way is open to the sacred mountain, and to other hills. Let them take our corn by force out of the fields, as they did three years ago. Let them now enjoy and reap the benefit of that scarcity, which they have occasioned by their own madness. I dare affirm, that the tillers of our lands will be so effectually tamed by this calamity, that they will not, by taking up arms a second time, and making a new secession, for the future prevent their being tilled." It is not so easy to judge, whether this method ought to have been taken, as to be convinced it was in the power of the senate, who, upon condition of lowering the markets, might have delivered themselves from the tribunician power, and all the other laws that had been imposed upon them.

XXXV. This speech appeared to the senate too severe, and did so exasperate the commons, that they had like to have taken up arms. They said, "they were distressed by famine, as if they were enemies, and defrauded even of victuals, and the necessities of life; that foreign corn, the only food they had to depend on, and which fortune had sent them unexpectedly, must be snatched out of their mouths, unless the tribunes were delivered up to C. Marcius bound; and unless he was allowed to wreak his cruelty on the backs of the commons of Rome; that he was started up to be a new executioner, who would oblige them either to die, or become slaves." The mob would have fallen upon him as he went from the house, if the tribunes had not very seasonably appointed him a day to take his trial. This allayed the violence of their fury. Every one saw himself judge and master of the life and death of his enemy. Marcius at first heard with contempt the threats of the tribunes: he said that they had the power of granting relief to the distressed, but no authority of inflicting punishments, and that they were the tribunes of the commons, and not of the fathers. But the people were in such a ferment, that the senators were obliged to put themselves out of danger, by giving up one of their body to be punished. Never-

theless they opposed his condemnation with the utmost zeal, and every one of them exerted his utmost interest, both in a public and private capacity, to save him. And first they tried if it was possible to dissipate the storm, by disposing his clients in such a manner, as to deter the people one by one from coming to their meetings and cabals. Then all the senate went in procession with such marks of sorrow and concern, that one would have thought they had all been arraigned, and with the most pressing instances, begged the people, that if they would not acquit him on account of his innocence, they would, at their intercession, forgive one fellow-citizen, one senator, even if he should be found guilty. But as he did not appear on the day appointed for his trial, they persisted in their resentment against him. Being condemned in his absence, he went into exile among the Volsci, breathing revenge against his country, and even carrying with him his hostile intentions. At his coming the Volsci received him kindly, and their civilities to him increased daily in proportion as his resentment against his native country appeared, and as they observed him often to complain and threaten vengeance against it. He was entertained by Attius Tullus, who was by far the most considerable man among the Volsci, and had always bore an aversion to the Romans. As the one was prompted by hatred of a long standing, and the other spurred on by fresh resentment, they consulted together about making war upon them. They believed it would be no easy matter to engage the Volsci to take up arms, which they had so often tried with very bad success. They considered that their spirits were broke by the frequent wars they had been engaged in, and more especially on account of the great number of young men whom the late plague had swept off; and as the hatred between the two nations was worn out by length of time, they judged that some stratagem and address would be necessary, in order to inflame their minds by some fresh indignity.

XXXIX. It happened that they were preparing to renew the Great Games at Rome, which was done for the following reason: during the celebration of them, one morning before the shews began, a certain master had obliged his slave to carry a cross, and whipped him through the middle of the circus (*a*). Nevertheless the games were begun, as if there had been nothing ominous in this matter. Not long after, one Tib. Atinius, a commoner, had a dream, in which he imagined Jupiter told him, "That the person who had danced before the sports began, had displeased him; and unless the games were renewed with the



utmost magnificence, the city would be in danger; that he should go and inform the consuls of these things." Though he had some scruples of conscience about it, yet he was so ashamed to approach the majesty of the consuls with a story that might expose him to the ridicule of every body, that this passion got the better of his fear. This delay cost him dear, for he lost his son within a few days. And that he might not be long in the dark about the cause of this sudden calamity, the same vision presenting itself to him in his sleep, when he was uneasy in his mind about it, seemed to ask him several times, "If he had been severely enough punished for slighting the deity? that a greater punishment was ready to fall upon him, if he did not go quickly and tell the consuls." This made a stronger impression upon him than the first; but while he demurred about it, and put it off, he was seized with a violent distemper, attended with extreme weakness. Then indeed the wrath of the gods roused him to his duty: for, being tired out with his past calamities and present sufferings, after advising with his nearest relations, and informing them what he had heard and seen, he declared how Jupiter had appeared to him in a dream, and how severely he had felt the threats and wrath of the gods in the misfortunes that had befallen him. By the unanimous consent of all present, he was carried out into the forum, to the consuls, in a litter. He was conveyed thence into the senate-house by their order, and after he had told the same things there, to the great surprise of all present, another prodigy happened; for it is reported, that this man, who was carried thither deprived of the use of all his limbs, walked home again upon his iega.

XXXVII. The senate decreed, that the games should be celebrated with the utmost magnificence. By the persuasion of Attius Tullus, a great number of the Volsci came to see them. Before the shews were begun, as he had concerted with Marcius at his own house, he came to the consuls and intimated, that he wanted to communicate to them, in private, some things which concerned the public tranquillity. When they were alone by themselves, he addressed them as follows: "It is with the utmost reluctance that I would say any thing of our countrymen that may seem harsh. I do not come to charge them with any crime they have as yet committed, but to warn you to be on your guard against them for the future. The tempers of our people are more fickle than I could wish them. This we have severely felt by the many defeats we have received; for it is owing to your patience, and not to our deserts, that we now remain a people.

There are at this time in Rome a great number of the Volsci. The games will soon begin, and the citizens will be intent upon the shews. I well remember the riot which the Sabine youth committed on a like occasion in this place. I tremble for fear our people should rashly and unadvisedly raise any disturbance. I deemed it proper to say this much to you, consuls, both on our account and yours. As for myself, I intend to return home immediately, lest by remaining on the spot I should be witness to any unbecoming actions or abusive words. Upon this he departed. After the consuls had laid before the senate this information, which looked indeed a little suspicious, and produced their author, his credit, more than the nature of the information, induced them to take some unnecessary precautions; for the senate having made a decree, that the Volsci should depart out of the city, the public criers were commanded immediately to order them to be gone before night. At first, as they ran to their lodgings in different parts of the city, to fetch their things, they were under a terrible panic; but when they were upon the road, their indignation was kindled, upon reflecting that, like persons impious and unclean, they had been in holiday time debarred from beholding the games, and as it were driven from the communion of gods and men.

XXXVIII. They returned almost in one continued body, and Tullus, who had gone before to the head of the spring of Feren-tinum, met each of them as they came up, asked them questions, and expressed his displeasure at the indignity which had been offered to them; and as they listened attentively, fond of expressions which encouraged their resentment, he prevailed upon their chiefs, and by their means upon the whole multitude, to retire into a field below the road. There, as if they had been summoned to an assembly, after putting them in mind of the former injuries done them by the Roman people, and the losses the Volsci had suffered, he said, "Though you should forget all former wrongs, with what temper can you bear the affront put upon you to day by that people, who have begun their games by branding us with open disgrace; Are you not sensible that they have this day triumphed over you? That when you left that city, you were a spectacle to all its inhabitants, to all strangers in it, and to so many of your neighbours? That your wives and children were publicly defamed? What do you suppose they thought, who heard the voice of the common crier? What was the opinion of those who saw you leaving the city? Or what do you imagine were the sentiments of those who met this band loaded with

reproach? What can they imagine, but that we are an impious crew, whose very presence would pollute the solemn games, and that we had committed some great crime; for which expiation must be made, and for this reason we are driven from the abode and habitation, even the fellowship and society of the godly? What, are you not convinced that our safety is owing to our hasty departure? If we may not rather be said to fly, than to march home again. Do you not look upon the inhabitants of that city to be your enemies, in which, if you had tarried but one day, you must all have perished? War is declared against you, to the infallible ruin of those who have done it, if you are but men." Upon this the Volsci, who were before in a rage, were quite exasperated; and marching thence to their different homes, enflamed their countrymen to such a degree, that the whole Volscian nation revolted.

XXXIX. All the several states, unanimously chose Attius Tullus and C. Marcius, the Roman exile, to command their armies; in the latter of whom they placed the greatest confidence. Nor did he in the least deceive their hopes, but made it plainly appear, that the Roman state owed its superiority over its neighbours more to the abilities of its generals, than the bravery of its troops. Having marched to Circei (*a*), he first drove the Roman colony thence, and delivered to the Volsci the city which he had freed from the Roman yoke. From thence he marched through the cross-ways to the Latine road; and retook the towns Satricum, Longula, Polusca, and Corioli, which the Romans had lately conquered. Then he made himself master of Lavinium, Corbio, Vitellia, Trebia, Labici, and Pedum. At last he led his army from Pedum towards Rome, and having pitched his camp at Cluilius's ditch, five miles from it, from thence plundered the Roman lands. He sent out guides with the pillagers to prevent pillaging the lands of the patricians, either because his resentment was chiefly levelled against the commons, or that he might raise dissention and jealousy between them and the fathers. And this artifice indeed would have had the designed effect, so violently did the tribunes inflame the people, who were of themselves enraged against the chief men of the state; but the fear of enemies from abroad, the greatest bond of harmony at home, united them, however suspicious of, and incensed against, one another. They only differed in this, that the consuls placed all their hopes in arms, and the commons chose to submit to any terms rather than risk a war. Sp. Natus and Sex. Furius were consuls this year. While they were mustering the legions, and placing guards upon

the walls, and in other places, where they thought it would be proper to have centinels and guards posted, a great number of persons bawling out for peace, first alarmed them with their seditious clamours. Then they obliged them to convene the senate, and to propose the sending a deputation to C. Marcius. The senate observing the courage of the commons begin to fail, agreed to the motion, and the deputies, who were sent to Marcius, brought back this harsh answer, "That if they first restored the lands they had taken from the Volsci, they might then treat about a peace; but if they chose rather to sit at ease, and enjoy the conquests they had made in former wars, that he, who well remembered the injuries done him by his countrymen, and the kindness shewed to him by strangers, would do his utmost to convince them, that his courage was not broken, but roused by his banishment." After this, the same persons were sent back, but they were not admitted into his camp. It is said, that the priests, dressed in their robes, went to him in a suppliant manner to beg peace, and that they made no greater impression upon him, than the deputies had done.

XL. Upon these disappointments, the ladies went in a body to Vetruria the mother of Coriolanus, and to Volumnia his wife. Whether this last expedient was tried by order of the senate, or was the effect of the women's fears, I know not. Yet it is certain they prevailed not only with Vetruria, who was an old lady, but also with Volumnia his wife, to take with her the two sons she had by Marcius, and to go to the enemy's camp, and there endeavour by their tears and entreaties to save that city, which they could not defend by their arms. When they came to the camp, and notice was brought to Coriolanus, that a great number of women approached, as he had neither been moved with the majesty of a public deputation, nor with the sacred and venerable persons of the priests, when presented before him in the most affecting manner, so at first he was more obstinately resolved not to yield to the prayers of the women. But when one of his officers, who knew Vetruria, distinguished among the crowd by the excess of her grief, standing between her daughter-in-law and her grandchildren, said to him, "If my eyes do not deceive me, here are your mother, your wife, and your children," Coriolanus, almost like one distracted, and full of anguish, leaped from his tribunal, and ran to embrace his mother. The lady, instead of using entreaties, burst out into a passion, and accosted him thus: "Let me know, says she, before I receive thy embrace, whether I am come to an enemy or to a son? or whether I am here thy

captive or thy mother? Hath my long life and unhappy old age been spun out for this end, first to see thee banished, and then the enemy of thy country? Hast thou been capable of ravaging the land which gave thee birth, and brought thee up in its bosom? How violent soever thy desire of revenge might be, and whatever resentment thou mightest have, did not thy rage abate, when thou enteredst these territories? Did it not come into thy mind, when thou camest within sight of Rome, to say to thyself, within these walls are my house, household gods, my mother, my wife, and my children? Had I then been childless, Rome had not been besieged. Had I never borne a son, I had died free in a free country. But now I can suffer nothing that can either add to my misery or thy disgrace; and though I be now very wretched, I cannot be long so. Consider what will be the fate of these infants, who, if you persevere, must either perish by an untimely death, or live in perpetual slavery." Then his wife and children embraced him. The tears and groans of all the Roman ladies, and the lamentation they made for themselves and their country, at length softened Coriolanus. He embraced his relations, dismissed them, soon after decamped and retired from the city. Some say, that the Volsci, highly displeased with his withdrawing his legions out of the Roman territory, put him to a violent death; but other historians say he died in a different manner. I find in Fabius, who is by far the most ancient author extant, that he lived to a great age. He relates a saying of his in the decline of life, "That banishment was insupportable, but much more so to an old man." The men of Rome did not envy the ladies the commendations due to them; for such was the disinterestedness of all ranks, that no body endeavoured to detract from another's glory. And to perpetuate the memory of this important service they had done their country, a temple was built and consecrated to Female Fortune. After this, the Volsci, in conjunction with the Æqui, returned into the Roman territory; but the latter refused to submit to Attius Tullus as their general. Upon this, after contending about the nomination of a person to command the confederate army, they first quarrelled, and after that came to a smart engagement. In this action, the good fortune of the Roman people destroyed two hostile armies, in a battle that proved no less fatal than obstinate. The consuls for the ensuing year were T. Sicinius and C. Aquilius. The province of the Volsci fell to Sicinius, and the Hernici, who were likewise in arms, fell to Aquilius. The former were this year defeated, and the Romans had a drawn battle with the latter.

XLI. The following consuls were Sp. Cassius and Proculus Virginius. A treaty was concluded with the Hernici, and two thirds of their lands taken from them; one half of which the consul Cassius designed to divide among the Latines, and the other half among the commons. To this act of generosity, he added some small pieces of land, which he alledged were unjustly possessed by private persons, though they were really the property of the public. This alarmed many of the fathers, who held these lands, for fear of their personal interest; and the senate was under great concern on account of that of the republic, being apprehensive that the consul by his liberality aimed at a power and greatness dangerous to the liberty of the state. This was the first time that the Agrarian (*a*) law was mentioned, which was never since brought upon the carpet without occasioning great commotions in the state. The other consul opposed the division, and was supported by the senate; nor were the commons unanimous for it. At first they slighted a favour in which their allies were to share equal with them; and after that, they often listened with attention to Virginius, when, as if inspired with a prophetic spirit, he declared, "that the bounty of his colleague was of a dangerous nature; that these very lands would entail slavery upon those who got them; that they served to pave the way to the crown. If it was not so, why should their allies and the Latine nations be made sharers with them? With what view was the third part of the conquered lands restored to the Hernici, who were lately their enemies, but that these nations may have Cassius instead of Coriolanus for their general?" By this time, both he who promoted, and he who opposed the Agrarian law, began to have each a party among the people, and the consuls vied with one another in making their court to them. Virginius said, that he would allow the partition to be made, provided none but Roman citizens had any share in it. Cassius, as he had been very earnest to give the allies of Rome a share of the lands, thereby found his credit greatly diminished among the populace; and to recover their affections by another act of kindness, ordered the money to be reimbursed which had been received from the people for the corn that was brought from Sicily. The Romans looking upon this as a present bribe for procuring him the kingdom, rejected it with indignation; nay an aversion to kings was rivetted so fast in their minds, that every body as heartily despised his presents, as if they had been made in a time of the greatest plenty. It is agreed on all hands, that he was condemned and put to death as soon as he was out of his office. Some say his father inflicted

the punishment upon him; and that after trying him at home, he whipped him to death, consecrated all his goods to Ceres, and with it erected a statue of that goddess with this inscription, "The gift of the Cassian family." I find in some historians, and their account seems more probable, that the questors (*b*) Cæso Fabius and L. Valerius appointed him a day to answer for his treason, that he was condemned by a sentence of the people, and his house demolished by public authority. It stood in the court before the temple of Tellus. Whether he was sentenced by his father or the people, it is certain he was condemned in the consulship of Ser. Cornelius and Q. Fabius.

XLII. But the resentment of the people against Cassius was of no long continuance. The sweets of the Agrarian law considered in itself, and abstracted from its author, who was put to death, came fresh into their minds. That desire was likewise increased by the injustice of the fathers, who after subduing the *Æqui* and *Volsci*, defrauded the soldiers of the plunder. Fabius sold all the booty that was taken from the enemy, and put the money into the treasury. Though the conduct of the last consul had rendered the Fabian family odious to the commons, yet the senate had interest enough to chuse L. *Æmilius* and Cæso Fabius into that office for the following year. The people, more highly incensed at this election, kindled a foreign war by their intestine broils. Upon its breaking out, their civil dissensions were for some time suspended, and the senate and people uniting, obtained a complete victory, under the conduct of *Æmilius*, over the *Volsci* and *Æqui* who had renewed the war. The enemy lost more men in their flight than in the action, so warmly did the horse pursue them. The same year, the temple of *Castor* was consecrated upon the thirteenth of July (*a*). It had been vowed in the time of the *Latine* war, when *Posthumius* was dictator, and was dedicated by his son, who was created *duumvir* on purpose to perform that ceremony. The minds of the people were likewise put in a ferment, by the inviting prospect of the Agrarian law; and the tribunes strove to raise the reputation of their popular office, by getting a law passed which was so much for the interest of the people. The fathers, who well knew that the commons were too apt to be enflamed of themselves when they had no view of profit, dreaded all largesses as incitements to them to take some rash step. They were strenuously supported by the consuls in their opposition to this law, and by that means prevailed not only at this juncture, but had also interest to chuse M. Fabius, the brother of Cæso Fabius, and L. Valerius, who was

even more odious to the people, by reason of his impeachment of Sp. Cassius, to be consuls for the next year. Then too they had struggles with the tribunes; but the law was rejected, and those who moved for it were exposed, by boasting of a favour which they were not able to make good. At this time the Fabian name was in great esteem among the patricians, because they had distinguished themselves in three successive consulships by their steady uniform conduct in all their struggles with the tribunes; and as that honourable office was thought to have been well bestowed upon them, it was continued for some time longer in that family. Then a war with the Veientes broke out, and the Volsci renewed hostilities. The Romans had strength more than sufficient to make head against their enemies, but they wasted it in their domestic broils. And while the minds of all ranks were in the greatest uneasiness, they were alarmed with celestial prodigies, which almost daily foreboded some signal calamity both to city and country. The soothsayers, when consulted with, both publicly and privately, sometimes by the entrails of beasts, and at others by birds, could assign no other reason for the divine displeasure, but that the sacrifices had not been performed with the due ceremonies. And these prodigies had this effect, that Oppia, the vestal virgin, was condemned for incontinence, and the legal punishment inflicted upon her (*b*).

XLIII. Then Q. Fabius and C. Julius were created consuls; the civil dissensions continued as violent as before, and the war with the neighbouring nations became hotter than ever. The Æqui took up arms, and the Veientes entered and plundered the Roman territories. As the Romans began to be more and more anxious about the event of these wars, they chose Cæso Fabius and Sp. Furius consuls. The Æqui were besieging Ortona (*a*), a city belonging to the Latines, and the Veientes, glutted with plunder, threatened to besiege Rome itself. But these impending dangers, instead of quieting the minds of the people, as they ought to have done, made them more turbulent, and they returned to their old resource, of refusing to enlist themselves. This they did not of themselves, but at the instigation of Sp. Licinius the tribune, who, judging the present extremities to which the state was reduced, a proper time to impose the Agrarian law upon the senate, had undertaken to obstruct the military preparations. But the whole load of envy to which the college of tribunes was exposed, fell upon the author of this project; for his colleagues were no less active against him than the consuls, and by their assistance the levies were completed. Two armies were raised at



the same time, for the two wars: the command of that which was to be led against the *Æqui* was given to Fabius, and *Furius* commanded the other, which was to march against the *Veientes*. Nothing remarkable was done against the latter, and Fabius had more trouble with his own men than with the enemy. This man alone supported the commonwealth, while the army, through their hatred to him as consul, did all in their power to ruin it. For when the consul, besides giving very many proofs of his being an able general, both in preparing for, and carrying on the war, had at this time drawn up his army so advantageously, that he routed the enemy's forces, by charging them with his cavalry alone; the foot would not pursue them, even when they were put to flight: and though the exhortations of their general, whom they hated, had not prevailed upon them, yet their own shame, the present public dishonour, and after-danger, if the enemy had recovered their courage, might have obliged them to quicken their pace, or, if they had done nothing else, to have kept in their ranks. Instead of this, they retired without orders, and returned to their camp so sorrowful and dejected, that one would have believed they had been defeated, sometimes venting imprecations against their general, and sometimes against the cavalry, for the gallant service they had done. Nor did the consul think of remedying so great an evil, so true it is that men who excel in other respects are frequently more deficient in that address which is necessary to govern their citizens, than in talents to conquer their enemies. He returned to Rome, but his reputation as a general was not so much raised, as the minds of his soldiers were fretted and embittered against him. The fathers, however, had interest enough to continue the consulship in the Fabian family; for they elected *M. Fabius* consul, and gave him *Cn. Manlius* for his colleague.

XLIV. This year likewise the tribune *Tib. Pontificius* brought the Agrarian law on the carpet. He proceeded in the same manner that *Sp. Licinius* had done, and hindered the levies for some short time. While this opposition perplexed the senate, *Appius Claudius* said, "That they had got the better of the tribunician power the year before; that at present they might do it by means of the tribuneship itself, and by following this precedent would do so for ever; seeing they had found that it could be weakened by its own strength." He affirmed, "That there never would be wanting one of their number, who, from a view of defeating his colleagues, and conciliating the favour of the well-disposed citizens, would strive to promote the public good; that the con-

suls would find more tribunes ready to assist them ; but that one was sufficient against all the rest ; that the consuls and chief of the fathers should only do their endeavour, if they could not win them all, at least to attach some of them to the interests of the commonwealth and to the senate." The fathers being instructed what measures they ought to take, by the advice of Appius, spoke all of them often to the tribunes in the most kind and obliging manner ; and those who were consuls, and had private claims against any of them, partly by their interest, and partly by their authority, prevailed upon them to consent to make the privileges of the tribunician power beneficial to the republic, and by the assistance of four tribunes against one, who obstructed the public interest, the consuls completed their levies. After this they marched against the Veientes, to whom auxiliaries had flocked from all parts of Hetruria, not so much with a design to assist them, as in hopes that the Roman state would be ruined by its intestine broils. The leading men in the general diet of the Lucumonies of that nation made their bravadoes, " That the Roman power would prove eternal, if they did not, by their seditions, turn their arms against one another. This was the only poison and flaw to be found in wealthy states, by which mighty empires were liable to be destroyed ; that this mischief, the effects of which had been for a long time suspended, partly by the discreet conduct of the senate, and the patience of the commons, was now come to a crisis. The state was split into two factions, each of which had its distinct magistrates and laws. Formerly those very persons who were wont to exclaim loudly against enlisting themselves, readily obeyed their officers in the field, and their animosities could be quelled, whatever divisions there were in the city, while their military discipline was maintained ; but the custom of disobeying their magistrates had now followed the Roman soldiers to their camp. In the very last war, when the men were drawn up in battalia, and in the heat of action, their foot had voluntarily resigned the victory to the Æqui after they had been defeated ; they had quitted their standards, abandoned their general in the time of the engagement, and returned without his order to their camp : and it was certain, that if they were pressed in earnest, Rome could be conquered by its own soldiers. Nothing else was necessary but to make a shew of war, the fates and gods would readily do the rest of the business themselves." These hopes had roused the Hetrurians to arms, who, after a variety of fortune, were in the course of the war often defeated and often got the victory.

**XLV.** The Roman consuls likewise dreaded nothing but their own forces and their own arms, and were terrified at the remembrance of their shameful behaviour in the last war, from bringing matters to such a pass as to have two armies to fear at the same time. Therefore in order to avoid this double danger, they remained within their camp, hoping that time and delay might soften their discontent, and restore the soldiers to their duty. Upon this their enemies, the Veientes and the Hetrurians, acted with the greater precipitation. They challenged them to fight them, first by riding before the camp and calling upon them to come out. At last when they made no impression upon the consuls and army, by insulting both, they said, "That they made a pretext of intestine discord, as a cloke to their cowardice, and that the consuls were more diffident of the courage than of the fidelity of the soldiers. That silence and quiet among men in arms was a new and strange kind of sedition." To this raillery they added bitter reflections, partly true and partly false, upon the baseness and obscurity of their origin. As they threw out these invectives at the foot of the rampart, and at the gates of the camp, it gave the consuls no uneasiness; but shame and indignation by turns distracted the minds of the common soldiers, and made them forget their intestine broils: they were unwilling that the enemy should pass unpunished, but could not endure that either the fathers or consuls should be crowned with success: the struggle was between their resentment against their foreign and domestic enemies. At length their rage against the former prevailed, the enemy had insulted them in such a haughty and insolent manner. They came in a body to the generals' tent, demanded to fight, and earnestly desired the signal for battle. The consuls pretended to confer together about the part they should act, and drew out their conference to a great length. They were desirous to engage, but their desire was to be checked and concealed, that by keeping back the soldiers, while they were eager and keen to come at the enemy, they might inflame their courage. The answer they returned, was, that their demand was unseasonable, and that it was not yet a proper time to come to action, and that they should keep within their camp. Then they published a proclamation forbidding them to engage, and declaring that if any of them should fight without orders, they would treat him as an enemy. Upon their being dismissed in this manner, their ardour to engage increased the more, as they concluded that the consuls were averse to it. When the enemy knew that the consuls had resolved not to fight, they came up to the Roman camp in a more insulting manner.

than before. For they thought they might insult them without any danger; that the soldiers would not be trusted with their arms: that this delay would occasion a mutiny, which would end in the total dissolution of the Roman empire. Elated with these hopes, they ran up to the gates of the camp, threw out the most provoking reproaches against the Romans, and were even upon the point of attempting to storm it. The Roman soldiers could no longer endure their insolence; they ran to the consuls from all the parts of the camp, nor did they proceed with reserve as before by the mediation of the centurions of the first rank, but almost all together demanded with loud cries to be led on to the battle, yet the consuls put it off. Then Fabius, with the consent of his colleague, who was apprehensive that this tumult would end in a mutiny, yielded to their importunities, and after commanding silence by sound of trumpet, said to him, "I know, Cn. Manlius, that these men are able to conquer their enemies, but it is owing to themselves, that I am forced to doubt whether they are willing to do it or not. Therefore I am firmly resolved and determined, not to give them the signal to battle, unless they first swear that they will return conquerors. The army once in battle, deceived the Roman consul, but will never deceive the gods." There was among the officers one M. Flavoleius a centurion who eagerly desired to engage. This man said, "M. Fabius, I will return victorious from the battle." If he deceived them, he invoked father Jupiter, Mars Gradivus and the other incensed deities to pour out their vengeance upon him. Then every man of the army took the same oath in his own name. When this was over, the signal being given, they took their arms and marched out to battle, big with hopes, and fired with resentment. They bid the Hetrurians now throw out their reproaches and call names, and every man challenged those who had been so ready with their tongues to meet him sword in hand. And that day in particular, both the patricians and commons behaved with the utmost bravery: but the Fabian name and family signalized themselves above all others; for as they had offended the commons by the many struggles they had had with them, about their power and rights, they were resolved to recover their affection by their bravery in that day's action. The Roman army was immediately drawn up in battalia, nor were the legions of the Veientes and Hetrurians backward to engage.

XLVI. For they were almost persuaded that the Romans would behave in the same cowardly manner on this occasion, that they had done against the Æqui; and flattered themselves, that at this

critical juncture, while their minds were in this ferment, they would even make some more desperate attempt. But their hopes were quite disappointed: for the Roman soldiers were so much provoked by the reproaches of the enemy, and the delays of the consuls, that they engaged with more fierceness than ever they had done before. The *Hetrurians* had not room enough to extend themselves, when both sides, in the first hurry and confusion, throwing their javelins at random, and not waiting to aim them at the enemy, engaged hand to hand, and decided the matter with their swords, when the battle is always most obstinate and fierce. Among the patricians, the *Fabian* family were a glorious sight, and set a noble example to their fellow citizens. One of them, *Q. Fabius*, who had been consul three years before, was the first who broke into the thickest of the *Veientes*, but as he had many enemies to deal with at once, a *Tuscan*, proud of his strength, and of his skill in arms, whom he had not observed, ran him through the breast with his sword. *Fabius* drew the weapon out of his body, and fell down dead upon his face. Both armies were sensible of the loss of this one man, and the *Romans* were retiring from that place, when *M. Fabius* the consul, leaping over his dead body, and covering it with his buckler, said, "Soldiers, did you swear that you would fly back in this shameful manner to your camp? are you more afraid of your most cowardly enemies, than of *Jupiter* and *Mars*, by whom you have sworn? But, O! *Q. Fabius*, I who have bound myself by no oath, will either return victorious, or die fighting near you? Upon this *Cæso Fabius*, who had been consul the year before, said, "Do you imagine, by these words, brother, to prevail on the soldiers to fight? The gods by whom they have sworn will do it. Let us rather by our deeds, than by our words, as becomes persons of the highest rank, and by a conduct worthy of the *Fabian* name, inspire our soldiers with resolution." As soon as he had spoke, the two *Fabii*, with their lances in their hands, flew to the foremost ranks, and with them the whole battalion advanced.

**XLVII.** The battle being thus renewed in one wing, the consul *Cn. Manlius*, with no less bravery, encouraged the soldiers in the other, where fortune almost took the same turns: for as the men briskly followed *Q. Fabius* in the one, they with equal resolution followed the consul *Manlius* in the other, who had almost entirely routed the enemy, driving them before him; but he happening to be dangerously wounded, and retiring from the battle, they imagined he was killed, and so they drew back. And they had certainly retreated, if the other consul had not galloped thither

with some squadrons of horse, and by crying aloud that his colleague was alive, and that he himself having routed the other wing of the enemy, was come to their assistance, recovered the fortune of the battle, when it was inclining to the other side. Manlius likewise, in order to animate the battle, appeared at the head of his men, whose courage was revived upon seeing the two consuls. The enemy's army was likewise weakened, for confiding to the superiority of their numbers, they withdrew their body of reserve, and sent it to storm the Roman camp. As they carried it with small resistance, they wasted their time in gathering the plunder, and were little concerned about the event of the battle. In the mean time, the Roman triarii (*a*), or body of reserve, who had not been able to stand the first charge, after sending an account to the consuls of what passed in the camp, returned in a full body to the general's tent, and of themselves renewed the fight. Besides the consul Manlius riding back to the camp, by posting soldiers at all the gates of it, had cut off the enemy's retreat. Despair inspired the Heturians rather with fury than courage; for, after having several times in vain endeavoured to force their way, wherever they expected to get out, a body of young fellows set upon the consul, distinguished by the splendour of his arms. The first darts were warded off by those who stood about him; but at length the violence of the assailants prevailed. The consul, mortally wounded, fell dead from his horse, and all his party about him was routed. The Heturians upon this took heart, and an universal consternation filled the Roman camp; and they had been entirely defeated, if the lieutenant-generals had not carried off the consul's body, and opened a passage to the enemy, through one of the gates, where they rushed out, and marching off in confusion, fell in with the other consul, who had defeated the enemy on his side. Here many of them were put to the sword, and the rest entirely routed. The Romans gained a glorious victory, but their joy was greatly lessened by the loss of these two gallant men. For this reason, the consul, when the senate decreed him a triumph, answered, "That if the army could triumph without a general, he would most gladly consent that they should enjoy that honour, on account of the signal services they had performed in that war; but while his family was mourning for the death of his brother, and while the republic was, in some measure, in the state of an orphan, by the loss of one of her consuls, he could not accept the laurel, disfigured both with public and private grief." The refusal of a triumph added more to his honour than any triumph could have done, so much does a

proper neglect of glory sometimes exalt it. After this, he performed the obsequies of his colleague and brother. On both occasions he pronounced the funeral orations, and, by bestowing upon them the praises due to their merit, secured to himself the greater share of them: and, in effect of a resolution he had formed from the beginning of his consulship, which was to gain the affections of the people, he distributed the wounded men among the senators to be cured. The greatest number of them were assigned to the Fabii; nor were any more exact in their care of them. From this time that family became popular, but by no other arts than what were consistent with the public interest.

XLVIII. Cæso Fabius, being advanced to the consulship with T. Virginus, as much by the zeal of the commons, as the interest of the fathers, resolved, before he engaged in levies, wars, or any other business, to exert himself to the utmost, that, as there were already some hopes of a reconciliation between the patricians and plebeians, it might be perfected as soon as possible. For this end, in the beginning of the new year, he proposed, that the senate should anticipate any petition of the tribunes for the Agrarian law, by doing their duty, and dividing the lands, as equally as they could, among the commons. For it was certain they were the persons that ought to enjoy them, who had purchased them at the expence of their blood, and the sweat of their brow. The fathers rejected the motion; and some of them complained that the lively spirit which Cæso had formerly exerted, was become cloyed and effeminate through excessive glory. The city was free from all civil dissensions the remaining part of the year. The Latines were harassed by the Æqui, who made incursions upon their lands. Cæso being sent against them, with an army, advanced into their country to pillage it. Upon this the Æqui retired into their towns, and confined themselves within their walls, which prevented any remarkable action. But by the rashness of Virginus, the other consul, the Veientes gave the Romans a terrible defeat, and the army had been all cut off, if Cæso Fabius had not come seasonably to their relief. From this time the Romans had neither peace nor war with them; for they behaved more like robbers than declared enemies. They fled from the Roman legions into their capital, and when they found they were retired, made inroads into the Roman territories; and thus they avoided defeating the ends of war by feigned submissions and pretended peace, and interrupted peace by acts of hostility. Wherefore that war could neither be entirely neglected, nor finally decided. Besides other nations, such as the Æqui and Volsci, who never

remained longer quiet than till they had forgot their last loss, were upon the point of declaring war against the Romans; and it was very probable that the Sabines, their constant enemies, and all Hettruria, would speedily arm against them. But the Veientes, who were rather a constant than a powerful enemy, gave them more uneasiness by their rapines, than the danger of their arms. For the Romans were obliged to be continually on their guard against them, and could turn their arms against no other enemy. In this situation of affairs the Fabian family went to the senate, and the consul, in the name of the rest, addressed that assembly as follows: "Conscript fathers," said he, "you know very well, that it requires rather a constant than a strong garrison to defend you against the Veientes. Do ye take care to carry on other wars, and leave the Veientes, your enemies, to the Fabian family. We undertake to preserve the majesty of the Roman name free from all insults on that side. Our purpose is to carry on this war at our private expence, as if it were only a family war. Let the republic be freed from furnishing men and money on that score." The senate thanked them in the kindest manner; and the consul leaving the house, went home attended by a number of the Fabii, who had waited in the porch, till they should know the resolution of the senate. After they had received orders to rendezvous next day at the consul's gate, they went to their own houses.

XLIX. The report of this generous resolution flew through the city. Every body extolled the Fabii to the skies. They were filled with admiration, to find that one family should have taken upon them the burden of the state, and that the war with the Veientes would be carried on at the expence and by the arms of private persons. They said, if there were but two other families equal to the Fabii in strength, and the one should demand the war against the Volsci, and the other the war against the Æqui, all the neighbouring nations would be subdued, and the Roman people at the same time enjoy a profound tranquillity. The Fabii in arms rendezvoused the next day at the place appointed. The consul coming out into the porch of his house in his military habit, saw all his family drawn up in order, and being received in the middle of them, commanded them to march. Never did an army, fewer in number, more glorious in renown, or more universally admired, march through the city. Three hundred and six soldiers, all patricians of the same stock, all capable to command brave armies, on any occasion, went out of the city, threatening destruction to the people of Veii, with the strength of their single family. They were followed by a body of their relations, friends



and companions, whose thoughts were employed about no ordinary prospects or objects of hope or fear, but the greatest and noblest views. Another excited by public concern, and transported with admiration and love for them, "wished they might go on with courage and success, and that the event might be answerable to their glorious undertaking. Bidding them hope for consulships, triumphs, all the rewards and all the honors they could bestow." As they passed by the capitol, citadel and other temples, they prayed to all the gods, which either presented themselves to their view, or occurred to their thoughts, to bless and prosper that army, and to grant them a happy and speedy return to their country and parents. But all these prayers proved ineffectual. They marched out by an unlucky way to the right of the temple of Janus, through the gate Carmentalis (*a*), and advanced to the river Cremera (*b*). This they judged a convenient post to fortify and garrison. Then L. Æmilius and C. Servilius were chosen consuls. While both sides did nothing but plunder each others lands, the Fabii were not only sufficient to repel the Veientes, but by sending out flying parties through all the country, where the Heturian lands were joined to the Roman territories, they protected their own frontiers, and ravaged the enemy's. But the Veientes did not long allow them to continue their devastations, for they sent for an army out of Heturia, to besiege the garrison at Cremera. L. Æmilius the consul advancing with the Roman legions, came to a close engagement with them. Nor had the Veientes time to draw up their men; for, amidst the first hurry and confusion, while they were drawing up their troops in order of battle, and posting a body of reserve, a wing of the Roman cavalry charged them so suddenly in flank, that they had not room to form their lines, far less to begin the battle. By this means they were routed, and retreating to the red rocks, where they had pitched their camp, they sued for peace in a submissive manner. It was granted them, yet such was the natural inconstancy of their tempers, that they repented that they had asked it, before the Roman garrison was withdrawn from Cremera.

L. Then the Fabii, without raising any more forces for that purpose, renewed the war with the Veientes. Nor did they only ravage the frontiers, or make sudden incursions upon their lands, but they engaged several times with them in pitched battles, and upon fair ground. And one Roman family often obtained victories over a people, who were at that time the most powerful of the Heturian nations. These defeats the Veientes considered at first as a great disgrace and indignity. Afterwards they formed

a design of surprising their haughty enemies in an ambuscade, as soon as an opportunity offered, and were glad to find that the forwardness of the Fabii was increased by their repeated victories. With this view, when they went out to pillage, they several times drove herds of cattle in their way, as they were ravaging the country, but so as it might seem they had lighted upon them by accident. The peasants fled, and left a great part of the country waste, and when parties of soldiers were sent out to prevent their plundering it, they retreated oftener through a counterfeit, than a real fear. And now the Fabii entertained so mean an opinion of the enemy, that they thought them unable at any time or on any ground to oppose their victorious arms. Elated with these hopes, upon seeing some herds of cattle in a plain, at a great distance from Cremera, though they observed some small parties of the enemy nigh, they ran down from the fort to carry them off. When they had inadvertently passed the ambuscade which was planted on both sides of the way, and were dispersed in pursuit of the cattle, that, as commonly happens when struck with fear, were straggling through the fields, the enemy rose suddenly out of the ambuscade, and appeared in the front and on all sides of them. The Veientes terrified them with the first shout which they raised, and then poured darts upon them from every quarter. As the several parties of the Heturians closed with one another, the Fabii were surrounded by one entire compacted body, and the more they were pressed by the enemy, were obliged to contract their own circular body within the narrower space. This crowding of their ranks both discovered the smallness of their numbers and the great superiority of the enemy. Then they gave over charging the Heturians, which they had done with equal fury on all sides; and made a bold push with all their strength at one place. They drew up in the form of a wedge, and with the weight of their bodies and the dints of their swords, opened themselves a passage through the enemy, that led by an easy ascent to the side of a little hill, where they first halted. As soon as the advantage of the ground had given them leisure to take breath, and recover from their surprise, they repulsed the aggressors, and by the convenience of their post, had got the better of them, if the Veientes had not fetched a compass, and possessed themselves of the top of the little hill. By this means the enemy had the advantage of the ground; the Fabii were all killed to a man, and the fort was taken. It is agreed on all hands, that three hundred and six of them were cut off, and that there only remained one boy about fourteen years of age, as a stock to the Fabian

family, and who was afterwards by his counsel in the senate, and conduct in the field, to save the Roman people in their greatest distress.

LI. This calamity happened in the consulship of C. Horatius, and T. Menenius. The latter was immediately sent against the Hetrurians, who were flushed with their victory. They likewise defeated him, and took the fort Janiculum. And as the Hetrurians had crossed the river, and the city was distressed with want of provisions, it had certainly been besieged, if Horatius the consul had not been recalled from the Volscian war. Nay, this war was brought so close to the walls, that in the first battle, which they fought at the temple of Hope, the victory was doubtful. They had a second engagement at the gate Collina, and though the Romans had but small advantage in it, yet that raised their former courage, and made them behave better in every future action. Then A. Virginius and Sp. Servilius were created consuls. The Veientes, after their late defeat, declined coming to a battle. They plundered the country, and from the fort Janiculum made incursions upon the Roman lands round about it. The peasants and cattle were no where safe. At length they were caught by the same stratagem, by which they had entrapped the Fabii; for having pursued some herds of cattle, which had been sent out on purpose to decoy them, they fell headlong into the ambushade. As they were more in number, the slaughter was the greater. The violence of their resentment for this loss proved the beginning and cause of a greater; for having passed the Tiber in the night, they attempted to storm the camp of Servilius the consul; but they were routed with great slaughter, and with difficulty got back to the fort Janiculum. The consul immediately crossed the river, and fortified his camp, at the foot of the hill. The next morning at day-break, a little flushed with his success the day before, but determined to it more by the want of provisions, which led him to the most expeditious measures, however dangerous, he inconsiderately marched his army up the hill to the enemy's camp, who drove him thence, more shamefully than he had drove them the day before; but by his colleagues coming up, both he and his army were saved. The Hetrurians were enclosed between the two armies, and while they endeavoured to run from both, were entirely cut off. And thus ended the war with the Veientes, by this step, which was rash in its undertaking, but successful in the event.

LII. The city no sooner enjoyed peace, than provisions became cheaper, for corn was brought from Campania, and the citizens

being delivered from the fear of future scarcity, brought out that which they had hid and hoarded up. After this, plenty and ease soon made them turn riotous; for as they had no disturbance from abroad, they endeavoured to revive their old contentions at home. The tribunes put the commons in a ferment, by the Agrarian law, which was a poison they had recourse to on every occasion. They inflamed them against the senators who opposed it, nor did they only excite their resentment against the whole body of them, but even against particular men. Q. Considius and T. Genucius, who proposed and supported the Agrarian law, cited T. Menenius to take his trial. The charge brought against him was, that he had suffered the fort at Cremera to be taken by the enemy, though his camp lay but at a small distance from it. And though the senators used all their interest for him, and were active to save him as they had been to save Coriolanus, the commons condemned him, even before they had entirely forgot the favours which his father had done them. The tribunes however changed his sentence into a fine, for though they had sentenced him to die, after his condemnation, they only fined him in two thousand asses of brass (*a*). This cost him his life. For it is said, that, being unable to bear this disgrace, his grief on account of it brought on him a distemper, which soon cut him off. They likewise arraigned another senator, Sp. Servilius, as soon as he was out of his consulship, and in the consulate of C. Nautius and P. Valerius, in the very beginning of the year, the tribunes L. Cædicius and T. Statius appointed him a day to take his trial. But he did not, like Menenius, descend to make mean supplications to the commons, nor did he suffer the fathers to intercede for him, but being confident of his own innocence, and relying upon his personal interest, boldly stood all the attacks of the tribunes. His indictment was founded on the battle, that he had fought with the Hetrurians at Janiculum. But being a man of a daring, forward temper, he behaved with the same intrepidity in his own case, as he had done in a time of public danger; and confuted not only the tribunes, but also the commons, in a bold speech, upbraiding them with the condemnation and death of T. Menenius, by the favour of whose father they enjoyed these very magistrates and laws, which made them at that time so insolent and cruel. And thus, by his resolute behaviour, he dispelled the storm. Virginius, his colleague, who was brought as a witness likewise, defended him by sharing his services with him. But what contributed most to save him, was their being ashamed of the sentence they had passed on Menenius, so much were their minds altered in regard to him.

LIII. When their domestic troubles were over, war broke out with the Veientes, with whom the Sabines had joined their arms. P. Valerius, the consul, having sent for auxiliaries from the Latines and Hernici, was dispatched with an army to Veii, and immediately attacked the Sabine camp, which they had pitched before the walls of their allies. This struck them with so great a consternation, that they were dispersed and broken; and while they ran in companies different ways to repel the enemy, the gate where the attack began was carried by the Romans. Within the ramparts it was rather a continued slaughter than a fight. The confusion reached the city, and the Veientes being terrified, ran to arms as if Veii had been taken. Some of them advanced to assist the Sabines, and others of them charged the Romans, who exerted all their strength and fury against the camp. This put them in disorder, and obliged them to fall back for a little while; but some of them soon faced about, and making a double front, made head against them both. The consul likewise commanded the horse to charge the enemy, and by them the Hetrurians were soon routed and put flight. And thus were two armies defeated, and two of the most powerful neighbouring nations subdued at the same time. During these transactions at Veii, the Æqui and Volsci had encamped themselves in the Latine territories, and pillaged their country. The Latines, joined by the Hernici, had, without a Roman general, or any assistance from Rome, drove them out of their camp. They not only recovered their own goods, but also took a vast booty. Nevertheless C. Nautius the consul was sent from Rome against the Volsci: for, I suppose, they were unwilling that it should become a precedent for their allies to make war without both a Roman general and an army. They distressed the Volsci with all the rigours of war, and loaded them with all manner of indignities, but after all could not force them to come to a battle.

LIV. Then L. Furius and C. Manlius were elected consuls. The Veientes fell to Manlius as his province, but the war was not continued. They sued for a truce, which was granted them for forty years, upon condition of paying a yearly tribute, and a certain quantity of corn. The Romans were no sooner at peace with their neighbours, than they revived their domestic broils. The tribunes incited the commons by the bait of the Agrarian law; but the consuls not being in the least discouraged by the condemnation of Menenius, nor the danger of Servilius, opposed it with all their might. When they were out of their office, Genucius the tribune impeached them. L. Æmilius and Opiter Vir-

ginius entered upon the consulship. In some annals I find Vopiscus Julius mentioned as consul, instead of Virginius. But whoever were the consuls, it is certain that Furius and Manlius, after they were arraigned, went about in a mourning habit, supplicating the people; nor were they more assiduous in their application to the commons than to the younger senators, whom they advised, "not to intermeddle with the honours and administration of the public affairs, but to look upon the consular fasces, the toga prætexta, and the curule chair, as nothing else than so much pomp prepared for their funeral; that being adorned with these glittering ensigns, as with so many fillets, they were destined to be sacrificed. But supposing the consulate had so many sweets and allurements, they ought to consider that the consuls were now oppressed by and made the tools of the tribunician power; nay, were obliged to do every thing according to the will and pleasure of tribunes, as if they were serjeants who attended them to execute their orders. If they had the least thoughts of freeing themselves from this yoke, of restoring the power to the senate, or establishing any other authority in the republic than that of the people, they ought to cast their eyes on the banishment of C. Marcius, and the condemnation and death of Menenius." The fathers, enflamed with these violent speeches, no longer concerted measures publicly, but held secret meetings, and made very few privy to their designs. As they were unanimous for rescuing the persons accused, either by right or wrong, the most violent methods proposed pleased them best. Nor were persons wanting to advise the most desperate measures. In consequence of this, when the day for their trial was come, and the people stood in the forum in great hopes of seeing them condemned, they wondered at first that the tribune did not come to the assembly; but when his long delay made them begin to suspect him, they believed that he was frightened by the senators, and complained that he had deserted and betrayed the public cause. At length the people, who had been going up and down in great numbers before his door, brought word that he was found dead in his own house. And this report was no sooner spread through the assembly, but as an army is put to rout by the death of their general, so they all stole away by different ways to their own houses. The tribunes were most terrified; for the death of their colleague convinced them that even the laws, which made their persons sacred, were insufficient to protect them. Neither did the fathers bear their joy with sufficient moderation; and they were so far from shewing any remorse for the crime they had com-

mitted, that those who had no hand in it were desirous to be thought the actors of it; and they declared in all companies, that the power of the tribunes was to be kept under by chastising them.

LV. Immediately upon the back of this victory, which set a most fatal precedent; a muster was appointed; and as the tribunes were dispirited, the consuls completed their levies without any interruption from them. Upon this, the people were more provoked at the silence of their tribunes, than the commands of the consuls, and said, "That their liberty was lost; that they were returned to their former slavish condition; that the tribunician authority had died and been buried at the same time with Genucius; that they ought now to think of some other method, to defend themselves against the senators; that the only way was for them to do this themselves, seeing they could find no body else that would protect them; that the consuls were attended by twenty-four lictors, who are commoners; that nothing was weaker than their power, if there were but men who would dare to despise their authority, which every body is apt to magnify in their imagination, and represent as terrible." After they had inflamed one another with these discourses, it happened that the consuls sent a lictor to one Volero Publilius a commoner, who had been a centurion in the army, and for that reason declared, that he could not be compelled to serve as a common soldier. Volero called upon the tribunes to protect him. But as no body assisted him, the consuls commanded him to be stripped and the rods to be got ready. Volero said, "I appeal to the people, because the tribunes choose rather to see a Roman citizen whipped before their face, than expose themselves to be murdered by you in their beds." The louder he bawled, the greater haste the lictor made to tear and cut off his clothes. But Volero being stronger than he, and assisted by those whom he called to his relief, repulsed the lictor, and hurrying into the thickest of the crowd, where every one with the loudest cries expressed their resentment of the outrage done them in the person of Volero, he bawled out, "I appeal, and implore the protection of the people! assist me, citizens! my fellow-soldiers, assist me! You have no ground to hope for aid from the tribunes, who want your protection for themselves." The people in the highest ferment took to their arms, as if they had been preparing for a battle; and it was evident that matters were in the utmost danger, and neither persons in public nor private stations were safe. The consuls came to dispel the storm; but they were soon convinced that the dignity of their of-

fice, without a sufficient force, was insufficient to protect them. For after the lictors were beaten, and the fasces broken, they were driven out of the forum into the senate-house, and were quite uncertain how far Volero would push his victory. When the heat of the tumult was over, they ordered the senators to be summoned to the house, complained of the assault that had been made upon them, of the insolence of the commons, and the audaciousness of Volero. After many violent speeches, the elder senators, who were against opposing the passionate measures of the patricians to the rashness of the commons, at length prevailed.

LVI. Volero became the favourite of the commons, and at next election they created him tribune. L. Pinarius and P. Furius were consuls that year. But though every body imagined that he would have employed the whole force of the tribunician power to harass those who had been consuls the year before; yet he preferred the public interest so far to his own private resentment, that without so much as using one harsh expression against them, he proposed a bill to the people, that the plebeian magistrates should be chosen in the comitia by tribes. This was a motion of no small importance, though at first sight it appeared not to affect the senate much, for by it the patricians lost their power of chusing what persons they pleased for tribunes, by the suffrages of their clients. This law was very acceptable to the commons; and though the fathers opposed it with all their vigour, yet neither could the authority of the consuls, nor the interest of the chief men of the patricians, prevail on any one of the college of tribunes to interpose, though that was the only power that could obstruct it; but as it was a weighty and important affair, they wrangled about it, till the year was out. The commons chose Volero tribune a second time. The fathers imagining that the matter would be brought to the last push, chose for consul Ap. Claudius the son of Appius, who had been an enemy to the commons, and inherited his father's hatred to them. T. Quinctius was given him for his colleague. The law was the first thing brought forward in the beginning of the year. And as Volero, who first proposed it, continued to support it, so his colleague Lætorius, though he had not appeared for it so early, now exerted himself with greater vigour in defence of it. As no man of the age had more personal courage or bravery than he, his renown in war made him bold and forward. For, though Volero threw out no invectives against the consuls, but confined his discourse entirely to the nature of the law, Lætorius began with accusing Appius and his family of excessive pride and cruelty to



the people; and affirmed, that the senators had not created a consul, but an executioner to plague and torment the commons. This rough soldier wanted words to express his thoughts, and equal to the freedom which he took. Wherefore when his expression failed him, he said, "O Romans, seeing I do not speak with so much ease as I can perform what I promise, come hither to-morrow; I shall either die here in your sight, or have the law passed." The tribunes possessed themselves of the temple the next day, and the consuls and the nobility were assembled to oppose the law. Lætorius commanded every body to be removed, except the voters. There stood some young noblemen in the way who would not withdraw, when they were ordered by the serjeant. Lætorius commanded some of them to be siezed. The consul Appius asserted, that a tribune had no authority over any body but a plebeian, and that he was not the magistrate of the senate, but of the people; and that he himself had no power to remove them according to former precedents, because the form of addressing them is, "Depart hence, Romans, if you think it proper." He designed to confound Lætorius by talking with great freedom and contempt of his authority. Upon this the tribune in a transport of passion sent his serjeant to the consul, and the consul sent his lictor to the tribune, calling out aloud that he was a private person, that he was not a magistrate and had no authority; and the tribune had certainly suffered violence, if the whole assembly who were highly provoked at the behaviour of Appius, had not taken part with Lætorius against the consul, and if great numbers of the commons, alarmed with the account of what had happened, had not flocked thither from all parts of the city. Yet Appius stoutly stood the storm with the utmost obstinacy; and the quarrel had certainly ended in a bloody battle, if Quinctius, the other consul, had not charged the senators of consular dignity to remove the colleague out of the forum by force, if they could not do it by any other method, while he sometimes by earnest entreaties endeavoured to appease the enraged multitude, and at others begged the tribunes to dismiss the assembly, and give their passion time to subside. He said, that time would not in the least abridge their authority, but add further degrees of wisdom to direct it. And assured them, that the senate would yield to the authority of the people, and that the consul would be controlled by the senate.

LVII. It was no easy matter for Quinctius to quiet the commons, but the fathers found it far more difficult to appease the other consul. At length, after the assembly of the people was dismissed, the consuls convened the senate. Fear and resentment

prevailing by turns, at first produced a variety of sentiments; but the more time they took to consider the matter calmly, they were the less inclined to contend with the commons. Quinctius had the thanks of the house, for his activity in quelling the riot and maintaining the peace. They begged of Appius, "That he would not raise the consular dignity higher than was consistent with the harmony and tranquillity of the true orders of the state." They said, "That while the tribunes and consuls strove each to engross the whole power to themselves, the public strength was entirely weakened. The commonwealth was distracted and torn in pieces by their factions and disputes, while both sides only contended for the chief direction of affairs, and never thought of the preservation of the state." Appius, on the other hand, "called gods and men to witness, that they abandoned and betrayed the public interest through fear and cowardice; that the consul had not been wanting to the senate, but the senate to the consul; that harder terms would be imposed upon them, than those concerted in the sacred mount." At last he was prevailed upon, by the united entreaties of the fathers, to be silent, and the law passed without any more noise.

LVIII. Then were the tribunes first chosen in the comitia by tribes. Piso supposing that there had been only two of them before, says, that three were added to the number, and that their names were C. Sicinius, L. Numitorius, M. Duilius, Sp. Icilius, and L. Mecilius. During these disturbances at Rome, a war with the Volsci and Æqui broke out. They had laid waste the Roman lands, with a view to induce the commons, if they should make a secession, to retire to them for shelter; but when they saw that all differences were composed, they decamped and led back their armies. Ap. Claudius was sent against the Volsci; the province of the Æqui fell to Quinctius's lot. Appius behaved in the same arbitrary manner abroad in war, that he had done at home in peace; only he exercised his tyranny with less reserve, as he was freed from the restraints of the tribunes. His hatred to the commons rose even higher than that of his father, because he had been lately defeated by them; and though he had been singled out as the only proper consul to oppose the power of the tribunes, yet a law had passed during his administration, which the preceding consuls, from whom the senators had not near so great expectations, had prevented with less struggle and opposition. These thoughts spurred on his haughty and imperious temper to torment the army by the severity of his orders; but so great was the aversion they had contracted to him, that he could not conquer them by any means. They did every thing

slowly, indolently, negligently, and with a spirit of mutiny. Neither fear nor shame could prevail on them to do their duty. If he ordered them to march with expedition, they would go slower on purpose. If he stood by them to encourage and forward the work, they would work slower than they had done before of their own accord. When he was present they hung down their heads, and cursed him in whispers as he passed by; so that even his haughty spirit, which the hatred of the commons could not subdue, was sometimes moved by their behaviour. But when all the severe methods he could invent made no impression upon the soldiers, he said the army was corrupted by the centurions: whom he would sometimes scoffingly call tribunes of the people, and sometimes Voleros.

LIX. The Volsci had intelligence of all this, and pressed the Romans more closely, in hopes that their army would carry their resentment as far against Appius, as they had done against the consul Fabius. But their aversion to the former was much greater than to the latter. For they were not like the army under Fabius, unwilling to conquer, but even willing to be conquered. When they were led on to battle, they fled in a shameful manner back to their camp; nor did they stand to their defence before they saw the Volsci making a terrible slaughter on their rear, and beginning to force their lines. Then indeed were they forced to fight, in order to drive the victorious enemies from their lines; but it was very plain, the Roman soldiers designed no more than to save their camp from being taken. Some of them rejoiced at their disgrace, and the loss they had suffered. Yet after all that had happened, the haughty spirit of Appius remained undaunted, and summoned them to an assembly, determined to vent his rage and cruelty on the whole army. But his lieutenant-generals and tribunes ran to him, and advised him not to put his authority to the trial, since its whole force depended on the consent of those that obey. That the soldiers openly refused to go to the assembly, and were heard loudly demanding that he should decamp out of the territories of the Volsci. That the victorious enemy had a very little before not only come up to the gates of the camp, but even attacked their lines, and there was not only reason to suspect, that some terrible danger was hanging over them, but even the strongest appearances of it were clearly to be seen. Overcome at last by these remonstrances, though the army got nothing by it, but the delay of their punishment, he put off the assembly, commanding them to be ready to march next morning, and accordingly gave the signal to decamp, by sound of trumpet, at day break. When the army was drawn out of the camp, and formed for a long march,

the Volsci, who had been roused by the same signal, fell upon their rear. From it the alarm reached the foremost, and the terror it spread, occasioned such confusion among the ranks and companies, that the troops could not hear the commands of their general, nor draw up in order of battle. None thought of any thing but making their escape, so that they fled with great precipitation over heaps of dead bodies and arms, and the enemy gave over the pursuit, before the Romans ceased to fly. At length when the soldiers were drawn together again, the consul, who during this scattered rout had followed them closely, and called upon them in vain to turn and face the enemy, pitched his camp in a safe place, and having assembled the army, justly upbraided them with throwing off all regard to military discipline, and deserting their colours. He asked the soldiers one by one, who stood unarmed, what was become of their arms, and likewise enquired of the standard-bearers, who had lost their ensigns, what was become of their colours. Then the centurions, and those that had a double allowance of provisions, who had quitted their ranks, he scourged and beheaded. The remainder of the army cast lots, and every tenth man of them was put to death.

LX. The army sent against the Æqui behaved in a quite different manner; for the consul and the soldiers vied with one another, in courtesy and acts of kindness. Quinctius was naturally more mild and gentle, and the unhappy effects of his colleague's cruelty had engaged him to follow more closely his own disposition. This very good understanding between the Roman general and the army so terrified the Æqui, that they dared not shew themselves in the field, and they suffered the enemy to ravage their lands at pleasure. Quinctius made as much booty as as had been got in any former war with that people, and gave it all to the soldiers. To this gift he likewise added praises, which give them no less sensible pleasure than rewards. By these means, the army returned to Rome, perfectly reconciled to their general, and on his account to the patricians. They said that the senate had given them a father to command them, and to the other army a cruel master. This year the Romans had various success in war, and violent feuds both at home and abroad; but the most memorable thing that happened in it was the law which ordained, that the tribunes of the people should be chosen in the comitia by tribes. This affair was more remarkable for the victory that was gained over the violent opposition that was made to it, than for any real advantage it was to the people. For the loss the comitia suffered in its dignity, by the exclusion of the fathers from

that assembly, was more considerable than any new power the people acquired, or the senate lost thereby.

LXI. L. Valerius and Tib. Æmilius were consuls the following year, when the commotions ran higher than ever, both on account of the feuds between the different orders of the state, about the Agrarian law, and also upon account of the trial of Ap. Claudius. For, as if he had been chosen consul a third time, he violently opposed the law, and strenuously supported the cause of the possessors of the public lands. And for that reason M. Duilius and C. Sicinius appointed him a day to answer for his conduct. Never was any accused person cited before the people, more universally hated by them; as he was extremely exposed to their resentment both on his own and on the account of his father. Never did the senate strive so hard to save any of their order. For they saw, with the utmost regret, the guardian of the senate, the avenger of their dignity, the defender of their rights against the attacks of the tribunes and commons, given up to the rage of the people, and that only for having a little exceeded the bounds of moderation, in the heat of the dispute. Appius was the only one of the senators, who despised the tribunes, the people, and his own impeachment. Neither the threats of the commons, nor the entreaties of the senate could ever prevail upon him so much as to change his habit, or in a suppliant manner to solicit his judges, nay he could not even be induced, in making his defence, to soften or abate any of his usual bitterness of stile. His behaviour was still the same, he retained the same sullenness in his aspect, and breathed the same spirit in his speech; so that the greatest part of the people were no less awed by him, when cited before them as a criminal, than they dreaded him before when consul. He pleaded his cause once, and did it with his usual air, that is to say rather as an accuser, than a person accused. And astonished the tribunes and people so much by his resolution, that of their own accord they put off his trial to another day, and after that suffered the time to be prolonged. Not long after he died of a disease, before the day appointed. The tribunes attempted to hinder the pronouncing of his funeral oration; but the commons being more equitable, would not suffer so great a man to be deprived of this usual honor. And they heard his praise after his death with as favourable an ear, as they had heard his accusation during his life, nay, great numbers of them assisted at his funeral.

LXII. The same year Valerius the consul marched with his army against the Æqui, and when he could not draw them to a battle, attempted to storm their camp. He was prevented from

taking it, by a terrible storm accompanied with thunder and hail. But the calm and fair weather, which immediately followed upon his sounding the retreat, increased their wonder; for they thought some deity had interposed to save the camp, and were restrained by a religious dread, from endeavouring to force it a second time. They vented their resentment upon them by ravaging their lands. The other consul *Æmilius* made war upon the Sabines, who confined themselves within their walls, and for that reason he laid waste their country, by burning not only the farm houses, but even large and populous villages. Then the Sabines were forced to come out of their strong holds, and meeting with the Roman pillagers, had an engagement with them; but parted leaving the victory undecided, and the next day retired with their forces to a secure place. This the consul looked upon as a sufficient victory obtained over the enemy, and upon their retreat returned home, leaving the war unfinished.

LXIII. During these wars, and the civil commotions at Rome, *T. Numicius Priscus* and *A. Virginius* were chosen consuls. The commons seemed resolved not to suffer the Agrarian law to be put off any longer, and were preparing to exert their utmost efforts, when the flight of the peasants, and the smoke of the farm-houses set on fire, informed them of the near approach of the *Volsci*. This invasion suppressed the sedition which was now ripe and just upon the point of breaking out. The senate obliged the consuls to march immediately against the enemy, and after the young men were led out of the city, the rest of the people were quiet and peaceable. The *Volsci* indeed, after alarming the Romans with a groundless fear, without attempting any thing further, retreated quickly out of their territories. *Numicius* marched to *Antium* against them, and *Virginius* marched against the *Æqui*. There the consul was drawn into an ambuscade, and had lost his army, had not the bravery of his men extricated him from that difficulty, whereinto his want of care had plunged him. But the war with the *Volsci* was more prudently conducted; for they were routed in the first battle, and fled to *Antium*, which was a very rich city. *Numicius* not daring to besiege it, took *Cenon* another city belonging to the *Antiates*, but not so wealthy as *Antium*. While the Romans were employed against the *Æqui* and *Volsci*, the Sabines entered their territories and advanced to the very gates of the city, plundering the country. To chastise their insolence in a few days both the consuls entered their territory, and made large reprisals upon them.

LXIV. In the end of the year the city had some respite from war, but the peace was continually disturbed by contests between

the patricians and plebeians. The commons, to shew their resentment against them, refused to appear at the comitia for the election of consuls. The senate and their clients chose T. Quinctius and Q. Servilius consuls. The first part of the year was disturbed by domestic factions, which were stifled upon the breaking out of a foreign war. The Sabines having made a hasty march through the territory of Crustumium, ravaged all the country about the river Anio with fire and sword, and though they were repulsed, after coming up almost to the walls of the city, and the gate Collina, yet they carried off vast numbers of men and cattle. The consul Servilius pursued them with an hostile army, but not being able to come up close with them on even ground, he committed the most terrible devastations in their country; he let nothing escape the calamities of war, and returned home with a prodigious booty. In the meantime the war with the Volsci was carried on successfully by the good conduct of the general, and the bravery of the soldiers. They engaged first in a plain: the battle was very bloody, and many were killed on both sides. And the Romans, the smallness of whose numbers made their loss more sensibly felt, would at last have given way, if the consul, by a well-timed fiction, had not revived the courage of his army. For he cried out that the other wing of the enemy was fled, and upon this his men charged them and conquered, because they thought themselves victorious. But fearing the enemy would rally, if he pursued them too far, he sounded a retreat. For some days all hostilities ceased, and both armies remained inactive, as if they had secretly consented to a truce. During this time great numbers of men, from the several nations of the Æqui and Volsci, came into the camp of the enemy, not doubting, but if the Romans should get intelligence of their coming, they would march off in the night. For this reason they came at the third watch to storm the camp. Quinctius, after he had allayed the fear, which this sudden terror had struck into his men, ordered them to continue quiet in their tents, and take their rest, and led out of the camp a body of Hernici for an advance guard. He likewise caused the trumpeters, and the blowers upon the horn, to mount on horseback, to blow from time to time before the rampart, and to keep the enemy in a constant alarm till day light. The rest of the night every thing was so quiet in his camp, that the Romans had enough of sleep. The appearance of this body of infantry in arms, whom the Volsci supposed to be Romans, and to be more numerous than they were; the noise and neighing of the horses, which, unaccustomed to their riders

and frightened with the sound of their instruments, were very intractable, kept them as close upon their guard, as if they had expected every moment to be attacked by the enemy.

LXV. When it was day the Roman army, quite vigorous and refreshed with sleep, marched out to battle, and at the first charge beat off the Volsci, who were fatigued with standing under arms and watching all night. The enemy were not entirely routed, they rather fell back to some steep places behind the principia, to which they retreated in safety without breaking their ranks. The consul, when his men came to the rising ground, commanded them to halt. It was with the utmost difficulty that the soldiers could be kept back, they cried out to him, and earnestly intreated him to permit them to pursue the enemy already discomfited. The cavalry especially crowded round their general, shewed the greatest eagerness to fight, and with a loud voice declared, that they would go before the ensigns to the charge. While the consul on the one hand, encouraged by the ardour of his troops, and on the other deterred by the disadvantage of the ground, seemed irresolute what to do, they all declared by a general shout, that they would go on, and immediately began to march. They fixed their javelins in the ground, that they might climb over the steep places with more ease, and then ran towards the top of the hill. As they advanced, the enemy, having spent all their darts at the first attack, tumbled down upon them the stones, which lay among their feet, and by the number of these, which they poured upon them, broke their ranks and forced them to retire from the acclivity. The left wing of the Romans was almost borne down and ready to draw back, when the consul, by reproaching them both with their rashness and want of courage, made shame get the better of their fears. Upon this they first struggled with great resolution; after that, as they were able to gain a little ground, they advanced, and setting up another shout, encouraged the whole army: then making a new effort, climbed up the hill and surmounted the difficulty of the place. They had now almost got to the top of the eminence, when the enemy turned their backs, and fled with precipitation: and were so quickly pursued by the Romans, that they entered their camp almost at the same time with themselves, and took it before they had recovered from their fright. Those of the Volsci, who were able to make their escape, fled to Antium. Quinctius led his army thither, and after the city had been invested a few days, it surrendered before the besiegers had made any assault, so much were they dispirited with their late defeat and the loss of their camp.

END OF THE SECOND BOOK.



# THE HISTORY OF TITUS LIVIUS.

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## BOOK THIRD.

*Seditions raised about the Agrarian law. The capitol surprised by exiles and slaves, who are slain, and it recovered. Two censuses held; in the first lustrum, the number of citizens amount to one hundred twenty-four thousand two hundred and fourteen, besides orphans of both sexes, in the latter, to one hundred thirty-two thousand four hundred and nine. Upon bad success against the Æqui, L. Quinctius Cincinnatus is made dictator; and sent for from the country, where he was cultivating his farm, to carry on that war. He conquers the enemy, and makes them pass under the yoke. The number of plebeian tribunes augmented to ten, 36 years after their first institution. Ambassadors sent to Greece for that purpose, having brought a copy of the Athenian laws, in the 301st year of Rome, decemvirs, instead of consuls, created, without any other magistrates, to digest and get these laws passed; and as the government was formerly changed from monarchical to consular, so now was it transferred from consuls to decemvirs. These set up ten tables, behave moderately in their honorable office, and therefore it is decreed that the same magistracy continue for another year. Upon this they add two tables more, abuse their power in many instances, refuse to resign their office, nay keep it a third year, till the lust of Ap. Claudius puts an end to their tyranny. Appius falls in love with a virgin, suborns one of his clients to demand her as his slave, and thereby lays her unhappy father Virginius under the fatal necessity of snatching a knife from an adjoining shop, and killing his daughter, since he could by no other means protect her from falling into the hands of him who intended to debauch her. The people provoked at this unparalleled instance of tyranny, seize mount Aventine, and force the decemvirs to quit their office. Appius and one of his colleagues, being the greatest offenders, imprisoned, and the rest banished. Besides, this book contains an account of the success against the Sabines, Æqui and Volsci; and the unjust sentence passed by the Roman people, who being chosen arbitrators between the Aricini and Ardeates, awarded the land in dispute to themselves.*

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I. AFTER the taking of Antium, Tib. Æmilius and Q. Fabius were elected consuls. The latter alone of all the Fabian family survived the battle of Cremera. Æmilius had, in his former consulate (*a*), declared for dividing the lands among the people. Upon his advancement to that office a second time, the abettors of this partition had hopes of getting it passed into a law. The tribunes likewise, thinking that, being supported by one of the consuls, they would now be able to carry what they had often attempted in opposition to both, again brought forward the

Agrarian law. The consul Æmilius persisted in his opinion. The possessors of the lands, and a great part of the patricians, complaining that a chief magistrate of the city officiously promoted the claims of the tribunes, and made himself the idol of the people by giving away other men's property, transferred the whole odium of this affair from the tribunes to the consul. A warm debate would have ensued, had not Fabius put an end to it by proposing an expedient disagreeable to neither party. He told them, that "in the former year, when Quinctius commanded the army, under his good conduct some lands had been taken from the Volsci: that a colony might be sent to Antium (*b*), a neighbouring and commodious city, situated on the sea coast. By this means the people might be put in possession of lands, without complaints of possessors, and the state be in quiet." This expedient was acquiesced in; and T. Quinctius, A. Virginus and P. Furius were appointed triumvirs, to make the partition of the lands. Such as were willing to share therein, were ordered to give in their names. But, as usually happens, no sooner had they it in their power, than they refused to go to these new seats; and so few enrolled themselves, that the Volsci were admitted in order to complete the number appointed for the colony; the rest of the people chusing rather to continue their clamours for lands at Rome, than to be put in possession of them elsewhere. The Æqui, against whom Fabius had marched an army, sued to him for a peace, which they broke by making a sudden irruption into the Latine territories.

II. In the following year Q. Servilius, colleague in the consulate with Sp. Posthumius, encamped in the country of the Latines. A distemper, which raged among his troops, obliged them to keep within their camp; and the war was protracted to the third year, when Q. Fabius and T. Quinctius were consuls. Fabius, who, in his former consulship, had granted peace to the Æqui, had that province assigned to him by an extraordinary commission. He, marching thither, in full confidence that his very name would bring them to a submission, sent deputies to their supreme council to represent to them, "That Q. Fabius consul desired to tell them, that having formerly carried peace from the Æqui to Rome, he now brought war from thence, with arms in that same right hand, which he had then given them in amity. The gods could witness and would soon avenge the treachery and perfidy of those who were the occasion of this. However, he much rather desired, that they should by a voluntary submission cancel their crime, than suffer the calamities of war. If they did re-

pent they should be received into the protection of that clemency they had formerly experienced. But if they delighted in breach of solemn treaties, they had the incensed gods as well as enemies to fight against." This representation made so little impression on any of the Æqui, that the deputies narrowly escaped being insulted, and an army was sent to Algidum (*a*) against the Romans. Accounts of this being brought to Rome, the other consul, with the army under his command, left the city, rather enraged at the indignity done to the deputies of his colleague, than apprehensive of any danger from the present war. Thus two consular armies advanced to meet the enemy in order of battle, ready to engage that instant. But as it happened that the day was near spent, one of the advanced guard of the enemy called out aloud, "This, O Romans, is only making a parade, not fighting. You draw up your men in battalia just on the approach of night. We need more day light to decide the action we are like to come to. Be ready to-morrow by day-break, and fear not but we will give you an opportunity to fight." The Roman soldiers, stung with these reproaches, were led back to their camp till next day, and thought the night passed slowly, which hindered them from coming to an engagement. Then they refreshed their bodies with victuals and sleep. As soon as it was light next morning the Roman army was ready drawn up a little sooner than that of the Æqui, which at length advanced in battalia. The battle was obstinate. Rage and revenge pushed on the Romans, while a consciousness of having by their perfidy drawn this calamity on themselves, and despair of ever after having any confidence reposed in them, made the Æqui use their utmost efforts and try all their skill. But they were not able to sustain the charge of the Romans. When after this defeat they were retired into their own country, as little as ever disposed to peace, the mutinous populace began to upbraid their chiefs with venturing to fight the Romans in a pitched battle, wherein they had always the advantage. That they themselves were better at plundering the country, and making inroads, and that the true art of war consisted more in skirmishing in small parties, than in risking their whole force in one decisive action.

III. Leaving, therefore, a guard in their camp, they sallied out and invaded the Roman territories with so great fury, that the terror reached even to the city. The surprise of this irruption increased the dread, as nothing was less to be feared, than that an enemy, conquered and as it were besieged in their camp, should think of plundering. The country people running in a great

panic to the gates, and through groundless fears magnifying every thing, called out, "that it was not small parties of ravagers, but a regular army and whole legions of enemies, advancing with all expedition to attack the city." Those who were nearest the gates repeated this account to others, and the farther it spread, it was the more magnified. The hurry and noise of those calling to arm was as great, and the terror almost as general, as if the city had actually been taken. It seasonably happened, that the consul Quinctius returned at that time from Algidum, which allayed their fears. As soon as their consternation was over, after chiding them for being afraid of conquered enemies, he posted guards at the gates. Then convening the senators, and a general vacation of the courts of justice being proclaimed by the authority of the senate, he marched out to protect their territories, having appointed Q. Servilius governor of the city. But he found not the enemy in the Roman dominions. Matters were wisely managed by the other consul, who knowing what rout the enemy would take, fell upon them in their march, loaded and encumbered with spoil, and made it a fatal incursion to them. Few of them escaped the ambuscade he had laid for them, and all the booty was recovered. On the return of Quinctius to the city, the courts of justice, which had been shut for four days, were again opened. Then a census was held, and on Quinctius's finishing the lustrum (*a*), it is said, that the number of citizens enrolled amounted to one hundred and twenty-four thousand two hundred and fifteen, besides orphans of both sexes. From this time there was no remarkable action with the Æqui; for they shut themselves up in their towns, and suffered their country to be burnt and pillaged. The consul Fabius, after having several times laid waste the country of the enemy with fire and sword, returned to Rome with great reputation and a vast booty.

IV. Then A. Posthumius Albus, and Sp. Furius Fusus were elected consuls. Some writers call the Furi, Fusii. I mention this that nobody may conclude from this difference of names, that they were different persons. It was not doubted but one of the consuls would prosecute the war with the Æqui. For this reason that people solicited the aid of the Volsci, who inhabited Ecetra (*a*). It was chearfully granted, so inveterate an hatred did these nations bear to the Romans, and they made the most vigorous preparations for war. The Hernici, coming to the knowledge of this, informed the Romans, that the Ecetrans had revolted to the Æqui. The colony of Antium was likewise suspected; because upon the taking of that city, a great number of

their men had fled to the Æqui, and, during the war with that nation, were the best troops they had. But being forced to retreat into their fortified towns, these soldiers, retiring privately, had returned to Antium and seduced the colony, of itself already disposed to rebel, from its allegiance to Rome. Matters not being yet ripe for their revolt, and the Roman senate having intelligence of their intention, the consuls were ordered to send for the chief men of the colony, and to interrogate them of their designs. They came very willingly, and being introduced, by the consuls, into the senate, gave such answers to their questions, that they were more suspected at their departure, than they had been at their coming. After this, war was looked on as certain. One of the consuls, Sp. Furius, to whom that province had fallen, marched against the Æqui, and found them laying waste the territories of the Hernici. Ignorant of their number, because they had never been seen all together in a full body, he rashly gave them battle with an army inferior to theirs, and being routed at the first charge, retreated to his camp. Nor was the danger then over; for during next night and the day following, his camp was so closely besieged and assaulted by the superior army of the enemy, that not so much as a courier could be dispatched from thence to Rome. The Hernici, however, sent advice, both of the loss of the battle, and of the consul and army's being besieged. This struck so great terror into the senators, that they ordered the other consul Posthumius "to take care that the republic should suffer no detriment," which was an expression in acts of the senate, importing that the state was in the greatest extremity of danger (*b*). It was thought most advisable that the consul should stay in the city, to enlist all who were able to carry arms, and that Quinctius should be sent as proconsul (*c*) with an army of confederates, to the relief of the camp. The Latines, Hernici, and colony of Antium, were ordered to complete his army with the subitarii, for so were auxiliaries raised on a sudden emergency called in those days.

V. In the mean time the enemy, far superior in number, were often in motion, and made assaults in different places, nay tried all ways to cut off the Roman forces, which were not sufficient for the defence of every place. At the same time that they attacked the camp, they sent part of their army to ravage the Roman lands, nay even to surprise the city, if fortune should offer them a fit opportunity. L. Valerius was left to guard Rome, and the consul Posthumius sent to repel the ravagers from the frontiers. No pains or labour of any kind were spared. Guarda

were placed in the city, centinels at the gates, and soldiers to defend the walls; and what was very necessary amidst so much confusion, a vacation of all courts of justice was appointed for several days. The consul *Furius*, though he had at first quietly suffered himself to be blocked up in his camp, sallied suddenly out at the back gate, and surprised the enemy. He might have pursued them, but halted lest his camp should have been attacked in some other place. *Lucius*, his brother and lieutenant general, pursued the enemy with too much eagerness, without perceiving either that the Romans were retreating to their camp, or that the enemy were falling on his rear. Being thus cut off from the main body of the Roman army, after many unsuccessful attempts to open himself a way to the camp, he fell fighting valiantly. The consul, hearing that his brother was surrounded, likewise returned to the battle, and rushing with more precipitation than caution amongst the thickest of the enemy, was wounded, and with difficulty rescued by those who were about him. This accident disheartened his own men, and inspired the enemy with fresh courage, who elated with killing a lieutenant general, and wounding the consul, beat down all before them. The Romans, neither equal in strength nor courage, were driven back to their camp and there again besieged. And all had certainly been lost, had not *Quinctius* brought an army of *Latines* and *Hernici*, and other auxiliary troops, to their relief. While the *Æqui* were wholly intent upon making themselves masters of the Roman camp, and with insults exposing to view the head of their dead lieutenant general, he fell on their rear, at the same time that the besieged, on a signal made by him, sallied out, and by this means surrounded great part of their army. The slaughter was not great, but the *Æqui* fled in straggling parties through the Roman territories. *Posthumius* fell with great fury upon them with some detachments, which he had posted in proper places. These pillagers being thus routed, in their flight fell in with the victorious *Quinctius* returning with the wounded consul. It was then that the consular army by fighting valiantly revenged the wounding of their consul, and the death of their lieutenant general with the slaughter of the cohorts (*a*) under his command. During this time, many were killed on both sides. In an affair of such ancient date, it is hard for one exactly to ascertain the numbers of the armies on each side, or of those who were slain; and yet *Antias Valerius* (*b*) boldly ventures to set down the precise number. He says, that there fell of the Romans in the country of the *Hernici* five thousand three hundred. That the consul *Posthu-*

mius killed two thousand four hundred of those Æqui, who in scattered parties pillaged the Roman territories. That a much greater slaughter was made of those whom Quinctius lighted on, as they were carrying off their booty; for four thousand, and by his minute computation, two hundred and thirty of them were slain. Upon this they returned to Rome, and again opened all the courts of justice. The heavens seemed to be all on fire, and other phænomena were either actually seen, or fear made the people imagine they saw prodigies. To avert these dreadful omens, three solemn fast days (*c*) were appointed, during which time the temples were crowded with multitudes of men and women, imploring the mercy of the gods. Then the Latine and Hernician auxiliaries, were sent home with grateful acknowledgments, of the great service they had done the Romans in the war. But the thousand Antiates had like to have been dismissed with marks of ignominy, because they had not come up to assist the Romans till the battle was over.

VI. Then the comitia were assembled, and L. Æbutius and P. Servilius being chosen consuls, they entered upon their office on the first day of August, which at that time was the beginning of the year (*a*). This year proved very calamitous, for a dreadful plague raged both in town and country, and swept off both man and beast. The violence of the distemper was much increased by the number of peasants, who were taken, with their cattle, into the city, for fear of being plundered. This medley of all kinds of animals annoyed the citizens by its uncommon stink, and likewise stifled the country people, pent up in close lodgings, with heat and want of sleep; besides, their attendance on one another, with the infectious nature of the distemper, propagated it every where. When they were scarce able to support themselves under these grievous calamities, ambassadors from the Latines and Hernici brought them sudden advice, that the Æqui and Volsci, with united force, had encamped in their country, and with a great army pillaged their lands. Besides that the thinness of the senate sufficiently convinced these faithful allies, that the city was much reduced by the plague, they farther received this uncomfortable answer, "that the Hernici, in conjunction with the Latines, should defend their own territories. That the incensed gods by a sudden plague swept off the inhabitants of Rome. That if this distemper should abate, they would succour their allies, as they had done the year before, and on all other occasions." Upon this they departed, carrying home worse news than they had brought, as they could not of themselves support

a war, which they had scarce been able to maintain when assisted by the Roman army. The enemy staid no longer in the country of the Hernici, but marched in an hostile manner into the Roman territories, which were desolate even without suffering the calamities of war. Meeting neither soldiers nor peasants there, and having over-ran the whole country, not only defenceless, but even uncultivated, they advanced by the Gabian way within three miles of Rome. Æbutius the Roman consul was dead, and his colleague Servilius lingering under the plague with little hopes of recovery. Most of the nobility, the greater part of the senators, and almost every man of age fit to carry arms were sick. So that they wanted not only forces to send out to stop the progress of the enemy, which the present distressed state of affairs required, but even guards for common duty. The senators, whose age and health would permit, mounted guard and stood centinels. The Ædiles went the rounds, and gave the necessary orders; for on them was devolved the administration of affairs, together with the consular authority.

VII. The whole country being thus desolate, and the state without a head to direct, or an army to defend it, the guardian gods and good fortune of Rome preserved it, and made the Volsci and Æqui act rather like ravagers than formal enemies. For they not only entertained no hopes of winning the city, but had not so much as courage to march to the walls of it. The sight of the houses afar off, and the graves so near, quite daunted them. Their whole camp suddenly mutinied, complaining that they indolently wasted the time without pillaging in a desolate and deserted country, amidst the infection of men and cattle, while they might have gone to the plentiful and wholesome territories of Tusculum (*a*). Then pulling up their ensigns they marched by cross-ways through the Lavican (*b*) territories to the hills of Tusculum. Thither they carried the whole horrors and heat of the war. In the mean time the Hernici and the Latines, moved not only with compassion, but ashamed at having neither obstructed the common enemies' march to Rome, nor sent any relief to their besieged allies, marched with their united forces directly thither. When they found the enemy were gone, getting intelligence of their route, they followed the tracks of their army, and met them coming down from the Tusculan hills into the valley of Alba. There they fought with great disadvantage, and for that time their fidelity to their allies was very unsuccessful. The plague swept off as many people at Rome, as were slain of their allies by the sword. The surviving consul, with other eminent men, M. Valerius, T. Vir-



ginus Rutilus, both of them augurs, died of it; as also Servius Sulpicius, the curio maximus (*c*). It made great havoc amongst those of less note. The senate, destitute of all human aid, made the people have recourse to the gods and to prayers, ordering them to go in procession with their wives and children and implore the divine mercy. Being thus called upon by public authority to do what each individual's private distress obliged him to perform, they crowded all the temples, where the matrons, lying prostrate (*d*) on the floors and sweeping them with their hair, deprecated the divine vengeance, and implored the gods to put an end to the plague.

VIII. Whether it was that they obtained favour of the gods or that the unwholesome season of the year was past, from this time the distemper by degrees abated, and their bodies began to recover health. Then they applied with vigour to public affairs, and after several interregnums, P. Valerius Publicola, the third day after he had been chosen interrex, appointed L. Lucretius Tricipitinus, and T. Veturius, or rather Vetusius, Geminus, to be consuls. They entered upon their office on the eleventh day of August (*a*), and the city was by this time so healthful, as to be in a condition not only to act defensively, but even to offend their enemies by carrying the war into their country. On intelligence, therefore, from the Hernici, that the enemy had entered their territories, the Romans readily promised to assist them. Two consular armies were levied. Veturius was sent to attack the Volsci in their own country. Tricipitinus, having been commissioned to post himself in such a manner, as to defend their allies' lands from being ravaged, went no farther than into the territories of the Hernici. Veturius defeated and routed the enemy in the first engagement. The pillagers stole by Lucretius as he lay encamped there, and marching along the tops of the hills of Præneste, from thence made a descent into the open country. They pillaged the lands of Præneste and Gabii, and from the last marched round to the hills of Tusculum. Rome was struck with a terrible panic, more on account of the surprise of this unexpected incursion, than for want of sufficient force to repel it. Q. Fabius, who was governor of the city, by arming the youth and posting guards in proper places, preserved all things in safety and quiet. The enemy therefore, having taken a great booty from the adjacent country, fetching a compass retired with their army not daring to approach the city. Growing more negligent in their march in proportion as they got at a distance from the city, they fell in with the consul Lucretius, who having by his scouts got certain intelligence of their route,

was ready drawn up, waiting an opportunity to give them battle. Being thus prepared, he immediately charged them, seized with a sudden fear, and though he was inferior in numbers, routed and put to flight their numerous army; and driving them into the vallies, from whence there was hardly any outlet, surrounded them on all sides. There the whole nation of the Volsci was almost cut off. I find in some annals that thirteen thousand four hundred and seventy of them were killed in the battle and in the flight after it; one thousand two hundred and fifty made prisoners; and twenty-seven standards brought out of the field. Though possibly the number may be somewhat exaggerated, yet it is certain that a great slaughter was made of them. The victorious consul, having gained a great booty, returned to the same camp which he had left. After that both consuls encamped together. The Æqui and Volsci likewise united their broken forces. In this year they fought a third battle, wherein the Romans had the same success as formerly; the enemy were routed and their camp taken.

IX. Thus was the Roman state restored to its former flourishing condition. But this success in war immediately raised intestine commotions. C. Terentillus Arsa was that year tribune of the people. Thinking the absence of the consuls a fit opportunity for preferring the claims of the tribunes, he for several days accused the senators of pride before the people, but in a particular manner inveighed against the consular power, as too absolute and insupportable in a free state, representing, "That it was only in name less odious, but in fact very near as grievous as regal government; that, instead of one lord, they had two, with unbounded and unlimited power, who, being themselves independent and restrained by no authority, turned the whole dread of the laws against, and rigorously punished the breach of them in the common people; that their tyranny might not be perpetual, he would prefer a bill for authorizing five (*a*) men to draw up laws, for restraining the consular power within due bounds; that the consuls might not exercise any authority over the people, but what they themselves entrusted them with, and not substitute their own licentious tyranny, and arbitrary wills, in place of law." While the patricians, on proposing this bill, were under terrible apprehensions of having a yoke imposed on them in the absence of the consuls, Q. Fabius, governor of the city, assembled the senate. He inveighed so bitterly both against preferring the bill and its author, that had both the consuls been present, to wreak their vengeance on the tribune, they could not have used

greater threatenings and menaces. He charged him with, "lying in wait, and taking advantage of the absence of the consuls, to attack the republic. Had the gods in wrath cursed them with a tribune of his character in the preceding year, when they were afflicted with the plague and war, it had been impossible to have found a remedy against his wicked designs. When both the consuls were dead, the city distressed with sickness, and all things lay jumbled together in confusion, he would have proposed laws for destroying the consular authority, and marched on the head of the Volsci and Æqui to attack Rome. Why did he arrogate this power to himself? If the consuls had behaved haughtily, or cruelly used any citizen, they might be cited to take their trial, and be arraigned before the people as judges, of whose body the person inhumanly treated was a member. Such proceedings as his would not render the consular, but tribunician power, odious and insupportable, which, having been lately softened and reconciled to that of the patricians, was falling again into its former enmity." Nor did he entreat him to desist from his purpose, but addressing himself to the other tribunes, "It is you," says he, "whom we conjure first of all to consider, that the tribunician power was provided for the relief of individuals, not for the destruction of the whole. You were made tribunes of the people, not enemies to the senators. Should the authority of the state, in the absence of its supreme magistrates, be broke in upon, it would be a great grief to us, and derive hatred and reproach upon you. You will not lose a tittle of your right; but only expose yourselves to less odium. Use your interest with your colleague to suspend all proceedings, till the return of the consuls. The very Æqui and Volsci did not vigorously prosecute a cruel and destructive war against us last year, when both our consuls were dead of the plague." His colleagues prevailed with Terentillus, and the bill being in appearance put off, but in fact dropped, the consuls were immediately sent for home.

X. Lucretius returned to Rome with great booty, but greater renown. His exposing, on his arrival, the whole spoil in the *campus martius*, that every one, for the space of three days, might know and carry away what goods were his own, added considerably to his reputation. What nobody claimed was sold. A triumph was declared due to the consul by universal consent, but was delayed because the tribune still insisted on his bill, which the consul thought ought to be discussed preferably to every thing else. For some days the matter was warmly debated in the senate, and then before the people. At last the tribune,

yielding to the dignity of the consul, dropped his bill. Upon this due honour was paid to the consul and his army. He triumphed over the Æqui and Volsci, his soldiers following in his train. An (*a*) ovation was granted to his colleague, who entered the city without his army. In the following year an attempt was made on the new consuls by the revival of Terentillus's law, which was now warmly espoused by the whole college of tribunes. The consuls were P. Volumnius, and Ser. Sulpicius. That year the heavens seemed to be on fire, and there happened a violent earthquake; and what had gained no credit the year before, was now firmly believed, viz. that a cow spoke. Amongst other prodigies, it rained raw flesh, which, it is said, was caught in its falling by numerous flocks of birds, which flew round at that time. What of it fell to the ground lay scattered for several days, without changing its smell. The Sybilline books were consulted by the duumviri (*b*), who presided over sacred things. They foretold danger from the coming of strangers, and to prevent any assault upon the highest places of the city, and a slaughter consequent thereon, amongst other things, the people were admonished to abstain from civil discord. The senators were accused of contriving this on purpose to hinder the passing of the law, and the contest ran very high. In the mean time the Hernici (as if the war was every year to keep in the same track) bring account that the Volsci and Æqui, notwithstanding they had been so much reduced, were recruiting their army: that the Antiates, who openly held their councils at Ecetra, were the chief support of the enemies of Rome. Antium was the head of the confederacy, and furnished the troops for the war. When these things were laid before the senate, an army (*c*) was immediately ordered to be levied. The consuls were commanded to share the management of the war between them, the one to march against the Volsci, the other against the Æqui. The tribunes dinned the people's ears by exclaiming in the forum, "That the story of the Volscan war was a mere fable, invented by the patricians, in which the Hernici were beforehand instructed to play their parts. Now indeed, the liberties of the Roman people were not openly attacked, but undermined by artifice: because it was incredible that the Volsci, who had almost been all cut off, should, together with the Æqui, without any provocation, put their troops in motion, new enemies must be looked out for: a faithful and neighbouring colony must be defamed: war was denounced against the Antiates, who were innocent, but was to be carried on against the Roman people, whom

they were drawing headlong out of the city, burthened with arms, that by banishing and sending the citizens out of the way, they might revenge themselves on the tribunes. By this means, that they might not be imposed upon by their specious pretexts, the sole design of the senators was to evade the law, unless while the matter was entire, while they were at home and in their gowns (*d*), they should take care, not to be driven from the city, nor receive a yoke of slavery. If they had courage, help should not be wanting. All the tribunes were of one mind. There was no fear of a foreign enemy; nor was there any danger: the gods had last year taken care, that their liberty should be defended with safety."

XL Such were the remonstrances of the tribunes. The consuls, on the other hand, erected their tribunals in their very sight, and were raising an army. Thither the tribunes ran in great haste, drawing the assembly after them. A few were called on, as it were to try how the matter would go, but immediately a tumult arose. Whomever the lictor seized by command of the consul, the tribune ordered to be released. Neither party kept within the bounds of the laws, but, trusting to force and violence, strove to gain their ends. As the tribunes were active in opposing the levies, so were the patricians in hindering the passing of the law, which was proposed every day on which an assembly of the people was held. A quarrel began when the tribunes commanded the people to leave the forum, from which the patricians would not suffer themselves to be excluded. The aged senators for the most part absented themselves from these meetings, because the debates were not managed with temper, but left to the direction of rash and audacious men; and the consuls for some time staid away for fear of exposing the dignity of their office to insults in such a mixed rabble. There was one *Caso* (*a*) *Quinctius*, a young man of high spirit, with which his noble birth, huge size, and great strength, inspired him. To these gifts the gods had bestowed upon him, he had added many honours gained in war, and was a good speaker in the forum, so that no man belonging to the republic was deemed a greater orator, or a braver soldier. This man, when surrounded by a crowd of senators, was always the most conspicuous among the rest, and, as if on account of his eloquence and strength, in him had been centred all dictatorial and consular power; he was the only person who sustained the storms of the tribunes, and fury of the mob. Under his conduct the tribunes had been frequently driven out of the forum, the rabble dispersed and put to flight. Whoever came in

his way was sure to be soundly drubbed, and stripped. So that it was evident, had he been allowed to have run on in this course, the bill would have been quite lost. Upon this, while the other tribunes seemed to have lost all heart, A. Virginius, one of their colleagues, summoned Cæso against a certain day to be tried for his life. This affront rather inflamed than daunted this impetuous young nobleman; so that he more vigorously opposed the law, insulted the people, and attacked the tribunes, having then as it were a just cause of making war upon them. His accuser suffered him after his impeachment to run on, that by his outrages he might blow up the resentment invidiously kindled against him, and furnish fresh matter for his indictment. The tribune continued still to propose the law, not so much from any hope of carrying it, as to provoke this rash youth. In the mean time many unadvised speeches and actions of the young nobility were charged upon Cæso alone, who was become odious, notwithstanding which he continued his opposition to the law. A. Virginius was every now and then representing to the people, "Do you not perceive, Romans," says he, "that it will be impossible for Cæso to continue in the city, and for you at the same time to carry the law, which you are so eagerly bent upon? But why do I mention the law? He obstructs your liberty, and exceeds all the Tarquins in haughtiness. Wait till he is made consul or dictator, whom you see in his private capacity domineer over you, by his uncommon strength and audaciousness." Many, complaining that they had been severely beaten, approved of the tribune's speech, and incited him to prosecute the affair to the utmost.

XII. The day of trial was now come, and it appeared that the people were generally of opinion, that their liberty depended on the condemnation of Cæso. Then at length was he forced to make very mean submissions and solicit the commons one after another. His relations and friends, the principal men of the city, attended him. T. Quinctius Capitolinus, who had been thrice consul, after recounting many honours he had gained himself as well as those of his family, affirmed, "that neither of the Quinctian race, nor in the city of Rome, had there ever been so promising a genius, or such a prospect of complete bravery, as discovered itself in Cæso. That he had made his first campaign under him, and he had often seen him fight valiantly against the enemy." Sp. Furius said, "that he had been sent by Q. Capitolinus to his relief when he was in the midst of danger, and he thought, no man had at that time contributed more, by his valour, to the re-establish-

ment of the affairs of the state, than Cæso." L. Lucretius, who had been consul the preceding year, all glorious in the high renown he had lately acquired, shared his honour with Cæso; reckoning up all his combats, and recounting the great exploits he had performed when he had been sent out on parties and in pitched battles, he earnestly advised, "that they would rather chuse to retain as their fellow citizen, than send into banishment this excellent youth, who was adorned with every natural endowment and gift of fortune, and would prove of the greatest service to any state he should go to. Age would daily lessen that fire and impetuosity of temper, which gave them offence. Experience, which he now wanted, he would every day acquire. That therefore as years were correcting his vices, and his virtues ripening, he hoped they would permit that illustrious youth to grow old amongst them." With them Cæso's father Quinctius surnamed Cincinnatus joined his entreaties, beseeching them for his sake, who had never offended any one by word or deed, to pardon his son. He industriously avoided the mention of his virtues, for fear of increasing the people's envy, and only besought them to forgive his faults which were the effects of youth. But some declined to receive the submissions of so great a man either through modesty or fear. Others, complaining that they and their friends had been severely beaten, plainly testified their sentiments by the rough answer they gave.

XIII. Besides the general odium, a particular charge was brought against Cæso, to which M. Volscius Fictor (*a*), who had been tribune of the people the year before, rose up and gave evidence. He said, "that not long after the plague had raged in the city, he had fallen in with a company of young patricians committing a riot in the Subura (*b*). And a quarrel happening, Cæso had with his fist knocked down his elder brother who had not perfectly recovered of his sickness, and had left him almost dead. Being carried home between men's hands, he was of opinion, that he died of that blow; but the consuls for the preceding year would not allow him to prosecute Cæso for this cruel murder." This accusation so exasperated the people, that in their rage they had very near fallen upon and killed Cæso on the spot. Virginius commanded him to be seized, and carried to prison, but the patricians opposed this order by force. His father T. Quinctius cried out, that "one, against whom an action is brought for a capital crime, and for which he is soon after to take his trial, ought not to have violence done him, before he is condemned or so much as heard in his own defence." The tribune replied,

“that it was not his intention to inflict any punishment upon him, till he should be legally condemned, but only to secure him in prison till the day of trial, that as he had killed a man, the Roman people might have it in their power to punish him for this murder.” The tribunes being appealed to exerted their right of assisting the oppressed, by taking the middle way between Virginius’s pretensions and those of Cæso’s friends, ordering the criminal to appear in person at his trial, and to promise to pay a certain sum of money to the people in case of non-appearance. It was long before they could agree on a reasonable sum. The sum was referred to the decision of the senate, and while they were deliberating on it, the criminal was kept under arrest in the common hall. It was agreed he should give security, and each surety was to become bound in the sum of three thousand asses of brass (*c*), but it was left to the determination of the tribunes how many there should be, and they concluded on ten, and that number became surety for the criminal’s appearance. He was the first who gave security to the state. Upon his being set at liberty, he went next night in exile to the Hetrurians. On the day of trial, when his being in banishment was urged as an excuse, Virginius notwithstanding held the comitia, and the rest of the tribunes being called upon, dismissed the assembly. The fine was rigorously exacted of the father, so that after selling all his effects, he lived for some time like an exile, in a retired and solitary cottage on the other side of the Tiber.

XIV. This trial and proposing the law employed the whole city, which had no foreign war to disturb it. The tribunes, flushed with their supposed victory, thought, that as they had struck a terror into the patricians by the banishment of Cæso, the law was now as good as passed, and that the most aged of the fathers, by not meddling in the administration of affairs, had yielded to them all authority in the state. The young noblemen, especially such as had been companions of Cæso, without having their courage impaired, became more incensed against the plebeians. But in one respect they were much improved; for they kept their resentment within bounds. As soon as the bill began to be proposed after the banishment of Cæso, being ready prepared, and attended by a great number of clients, they attacked the tribunes, whenever they furnished them with a handle by removing them out of the assembly. They made this assault in such a manner, that neither the chief honour nor odium of it could be derived on any particular person; for they were all equally concerned; and the people complained, that instead of one a thousand Cæsos had



started up. None were more peaceable or quiet than they on the intermediate days, when the tribunes did not offer to prefer the bill. They courteously saluted, discoursed with, and invited the plebeians to their houses, assembled with them in the forum, and even suffered the tribunes to hold assemblies on other affairs without interruption. They never, either in public or private, shewed any passion, but when the law began to be proposed. On every other occasion these young noblemen were very complaisant to the commons. For the tribunes were not only suffered to do their other business quietly, but were re-chosen to serve that office next year without an unhandsome word, or the least violence offered to them. By such gentle usage and soothing speeches they by degrees softened the people, and by these devices put off the law for all that year.

XV. The state enjoyed more tranquillity than it had done for some time, when C. Claudius, son of Appius, and P. Valerius Poplicola (*a*) received the consulship. The new year produced nothing remarkable, the state being entirely employed about drawing up and ratifying the law. The more the young patricians insinuated themselves into the favour of the plebeians, the more vigorously did the tribunes strive to render them suspected, by the most grievous accusations. They spread a report, "that they had entered into a conspiracy, that Cæso was in Rome, that a plot was formed to kill the tribunes, and massacre the people. That the old senators had given the young nobility commission to abolish the tribunician power, and to restore the state to the same form of government in which it was before the secession to the sacred mount." Besides all this they dreaded a war with the Volsci and Æqui, which was now become common and happened regularly almost every year: and moreover a new and unexpected calamity broke out nearer home. The outlaws and slaves, to the number of four thousand five hundred, surprised the capitol and citadel in the night time under the conduct of one Appius Herdonius, a Sabine. They immediately put to the sword every man in the citadel, who refused to join in their conspiracy, or to take up arms along with them. In the confusion some ran precipitately, and in a great panic down into the forum, where nothing was to be heard but the voices of those calling by turns, "to arms," and "the enemy is in the city." The consuls were equally afraid of arming the people, or suffering them to be without arms (*b*). Not knowing whether this sudden calamity, which had befallen the city, arose from a foreign or domestic enemy, was the effect of the people's hatred, or the treachery of

the slaves, they endeavoured to settle the present confusion, and sometimes the more they endeavoured to quiet it, the more it increased. Nor was it indeed possible to govern the people in this consternation and astonishment. At length they gave arms, but not to all indiscriminately, only to as many as they could safely trust to guard every place, against the unknown enemy. As they were uncertain who the enemy was, and entirely ignorant of their numbers, they spent the remainder of the night in great perplexity, posting guards in proper places through the whole city. At last day came and discovered both whence the war came, and who was at the head of it. Appius Herdonius from the wall of the capitol proclaimed liberty to the slaves, telling them "that he had undertaken the cause of every one in distress, with a resolution to restore those who had been unjustly banished from their native country, and to take the grievous yoke of servitude off the necks of the slaves. He wished, however, that the Roman people would of themselves do this. But if there was no hopes of relief from them, he would have recourse to the Volsci and Æqui, try all expedients, and put all their enemies in motion against them."

XVI. The senators and consuls now saw more clearly into the matter. But besides the calamities which presently threatened them, they were afraid that the Veientes and Sabines had been the authors of this conspiracy; and whilst so many enemies were in the city, the Sabine and Hetrurian forces would immediately appear before Rome according to concert, and after them, that their constant enemies, the Volsci and Æqui, would march, not as formerly to ravage their lands, but even to possess themselves of their very city, which was in part taken. They had many different grounds of fear: but what perplexed them above all others, was a dread of the slaves, not knowing but every man had an enemy in his own house. It was neither safe to confide in them, nor by suspecting their fidelity to irritate them more. And to such straits were they reduced that it was scarce probable, that even a thorough agreement between the two orders of the state would enable them to ward off these impending dangers. But amidst so many greater calamities that they actually felt, and others that were still casting up, none apprehended any evil either from tribunes or people. The disturbances these occasioned were but inconsiderable, being ever the consequences of freedom from all other calamities, and besides seemed for the present to be lulled asleep by this foreign alarm. And yet the opposition of the tribunes pressed hardest upon them in this most dangerous

situation of their affairs. For such madness possessed them, that they insisted "the war was a mere trick, and that the capitol had been seized only to divert the minds of the people from thoughts of the law, which being once passed those clients and dependants of the patricians, seeing all their riotous efforts to obstruct it frustrated, would steal away in greater silence than they had come." With that, calling the people from their arms, they held an assembly to pass the law. In the mean time the consuls convened the senate, apprehensive of greater danger from the tribunes than from the enemy, who had alarmed them in the night.

XVII. When word was brought, that the people had laid down their arms and abandoned their posts, P. Valerius, leaving his colleague to keep the senate together, left the senate-house in a great hurry and ran into the temple (*a*) to the tribunes. "What is the meaning of this, said he, tribunes? Will you, under the command and conduct of Appius Herdonius, overturn the republic? Has he, who could not prevail with your slaves to join him, been so fortunate as to have seduced you? Does it seem good to you to quit your arms, and set about enacting laws, when the enemy is over our heads?" Then turning to the people, "Romans, if you have no regard for the city, no regard for yourselves; yet sure you reverence the gods of your country, who are prisoners to your enemy! Jupiter the greatest and best of beings, queen Juno, Minerva, and all the other gods and goddesses, are actually beset, slaves are encamped round your tutelary gods. Do you think this argues a people in their senses? While so powerful an enemy is not only within the walls, but even in the citadel overlooking the forum and place of our assemblies; the comitia in the mean time are held in the forum, the senate is met in the temple: as if we enjoyed the greatest tranquillity, the senator gives his opinion, and the other Romans their suffrages! Ought not rather all, patricians, plebeians, consuls, tribunes, citizens and men, to take arms and lend their help; would it not be more decent to fly to the capitol, to deliver and regain that august habitation of the great Jupiter? Do thou, O father Romulus, inspire thy descendants with the same courage, whereby thou formerly didst recover this citadel, which the Sabines had made themselves masters of by bribery. Command them to enter the same way which thou first didst lead, and thy army after thee. Lo! I, who am consul, as far as a mortal man can follow a god, will be the first to follow thee and thy footsteps." Then he concluded, "that he would take arms, and summoned every Roman to do the same. That without regard to consular authority, tribunician power, or the sacred laws, he would treat whoever should oppose

him, whoever he was, wherever he should meet him, in the capitol or in the forum, as an enemy. Since the tribunes had forbid them to arm against Appius Herdonius, they might command them to take up arms against P. Valerius the consul. He would venture to do by the tribunes, what the founder of his family had dared to do by the kings." Every thing seemed to be upon the point of coming to the utmost violence, and that the sedition of the Romans would become a spectacle to the enemy. It was impossible either to get the law enacted, or for the consul to march against the capitol. At last the night coming on put an end to the disputes which were begun. The tribunes were peaceable all night for fear of the armed partizans of the consuls. When these authors of sedition were out of the way, the senators went round amongst the people, and mingling with them where they saw them in crowds together, entered into discourses suitable to the times, admonishing them "to beware, into what extremity of danger they plunged the republic. That the contest was not now between the patricians and plebeians, but both senators and commons, the citadel of Rome, the temples of their gods, nay their national and domestic gods themselves, were abandoned to their enemies." While these measures were taking for appeasing the contentions in the forum, the consuls, in the mean time, went to post guards at the gates and walls, lest the Sabines and Veientes should come and attack the city.

XVIII. That very night accounts of the taking the citadel, surprising the capitol, and of the other civil disturbances at Rome, were carried to Tusculum, where at that time L. Mamilius was dictator. He immediately assembled the senate, introduced the messengers, and strongly remonstrated, "that they ought not to wait till ambassadors should come in from Rome to demand aid; that the very danger and hazard, their confederate gods and the sacred obligation of treaties required expedition. The gods would never give them a like opportunity of obliging so powerful and neighbouring a state." They cheerfully consented to send them succours, and their youth were immediately mustered and armed. They reached Rome by day-break, and were taken at a distance for the Æqui and Volsci coming to attack it. When that groundless fear was dissipated, they were received into the city, and marched in a body to the forum, where P. Valerius, having left the guard of the gates to his colleague, was already drawing up his troops. The reputation of the man had great weight with the people, when he assured them, "that as soon as the capitol should be recovered and the city in quiet, if they would allow

themselves to be informed of the secret and treacherous views concealed under the law, he would remember his ancestors, remember his surname, which his progenitors had left as an hereditary obligation upon him to support the interests of the people, and would not interrupt their assemblies." Upon that they followed him as their leader, in spite of the strong opposition of the tribunes, and gained the top of the capitol hill, in conjunction with the Tusculan auxiliaries. These allies and the citizens strove in noble emulation, who should have the glory of recovering the citadel, and each general encouraged his own men. Then began the enemy to tremble, having nothing to rely on but the strength of the place. The confederate army of the Romans and Tusculans attacked them briskly, while they were in this consternation, and had already broke into the porch of the temple, when P. Valerius, animating the battle at the head of his troops, was killed. P. Volumnius, a man of consular dignity, saw him fall, and ordering his men to cover his body, flew to put himself in the consul's place. The Roman soldiers fought with such ardour and fury that they did not perceive their loss, and had gained the victory before they were sensible they fought without their general. Many of the exiles polluted the temple with their blood, and many of them were taken alive, but Herdonius himself was slain. And thus was the capitol regained. Every prisoner was punished suitably to his condition (*a*), according as he was a free-man or slave. The Tusculans had the public thanks. The capitol was cleansed and purified (*b*); and the people are said to have cast farthings (*c*) into the consul's house, in order to bury him with the greater pomp.

XIX. Peace thus being obtained, the tribunes urged the senators to perform the promise of P. Valerius, but they especially pressed Claudius "to deliver the manes of his colleague from the imputation of fraud, by allowing the law to be proposed." He absolutely refused, till they should chuse him a colleague. They continued to wrangle about this, till the comitia were held for the election of another consul. In the month of December, L. Quinctius Cincinnatus, Cæso's father, was chose consul by the vigorous efforts of the senators, and immediately entered upon his office. The Plebeians were terribly alarmed, when they saw they were to have a consul, who was provoked against them, whose power was great by the favour he had with the senate, and was esteemed on account of his personal merit; and who besides had three sons not inferior to Cæso in courage, but far surpassing him in prudence and discretion, when occasion required.

He no sooner entered into office, than in the speeches he daily made in his tribunal, he was as bitter in his rebukes to the senators, as he was severe in checking the insolence of the commons. "To the want of resolution in your order, said he to the senators, it is owing, that the same tribunes from year to year, not as in the Roman republic, but in some disorderly house, by their licentious speeches and scandalous impeachments, domineer over every thing. Together with my son, Cæso, all merit, steadiness, and every quality that adorned youth in war or peace, had been banished and driven out of Rome. Babblers, seditious persons, and sowers of discord were, by base practices, a second, yea a third time chosen to serve the office of tribunes, and lived like kings with lawless sway. Does that same Aulus Virginius, said he, less deserve punishment for not being in the capitol, than Herdonius for seizing it? By Hercules, who ever weighs the matter aright, will think he deserves it more. If Herdonius did no more, yet by openly declaring himself your enemy, he, as it were, forewarned you to arm in your own defence. This Virginius, by denying that there was any war, disarmed and exposed you defenceless to the mercy of your slaves and exiles. And did you, (I say it with deference to C. Claudius, and reverence to P. Valerius, who is dead) march up the hill to attack the capitol, before you had destroyed these enemies, which were in the forum. Before gods and men it is a shame, that, when enemies were in possession of the citadel and capitol, when a captain of exiles and slaves, after having profaned every thing, had taken up his quarters in the temple of Jupiter the good and great, arms should be taken up at Tusculum, before they were at Rome. That it should be doubtful, whether L. Mamilius, the Tusculan general, or C. Claudius and P. Valerius, the Roman consuls, had delivered the citadel of Rome; and that we, who formerly would not suffer the Latines to arm, even in their own defence, when the enemy was encamped in their country, should at this time have been taken and destroyed, had not these very Latines, of their own good will, taken up arms to relieve us. Is this, O tribunes, aiding the people, to expose them unarmed to be butchered by their enemies? Truly, if the meanest wretch among your plebeians, whom ye have as it were disjoined from the rest of the people, and formed a native country of your own, and a commonwealth peculiar to yourselves; I say, if the meanest of them should bring you account of his house being beset by a company of armed men, you would think it incumbent on you to send him succours. Did Jupiter, the best and greatest of beings, when surrounded by

armed exiles and slaves, seem unworthy to be rescued by human aid? And yet these very men insist upon being counted inviolable, who reckon not the very gods themselves sacred and inviolable! Do you, thus immersed in crimes against gods and men, boast that you shall have your law passed this year? But I swear, that if you carry it, the day on which I was created consul was an unlucky day to the state, nay more unfortunate than that on which the consul Valerius was slain. But first of all, Romans, my colleague and I are resolved to lead the legions against the *Æqui* and *Volsci*. I know not by what fatality the gods are more propitious to us in war than in peace. And it is better to conclude from what is past, than in reality to experience what we must have suffered from those nations, had they known that the capitol was in possession of exiles.

**XX.** The consul's speech amazed the plebeians, while the senators began to resume courage, believing the state was re-instated in its former condition. The other consul better at seconding than making a motion, patiently suffered his colleague first to open this weighty matter, but claimed to himself a share in the execution of the consular office. But the tribunes, scoffing at his words as mere vapouring, proceeded to ask "how the consuls would lead out an army; for none of their college would suffer them to make any levies." Quinctius replied, "we want none; seeing, at the same time when Valerius armed the people to retake the capitol, they had all sworn solemnly, that they would rendezvous at the consul's command, and not disband without his orders. Therefore we command all who took this oath to come to-morrow in arms to the lake *Rigillus*." Then began the tribunes to cavil, and would fain have absolved the people from that solemn obligation by this evasion, that Quinctius was only a private person, when they bound themselves by the oath. But the contempt of the gods, which is so common in our age, was at that time unknown; nor did any then interpret oaths or wrest the laws to their own purposes, but strictly conformed to them as the rule of their conduct. The tribunes, therefore, seeing no hopes left of being able to hinder the levies, consulted how to delay the army's march; the rather because there was a report spread, "that the augurs had been ordered to attend at the lake *Rigillus*. The place was to be consecrated (*a*), where, after taking the auspices (*b*), the consuls might treat with the people in order to repeal, by their votes in the *comitia*, whatever laws had been passed at Rome by the violence of the tribunes. That there the people would agree to whatever the consuls

pleased. The right of receiving appeals did not extend beyond a mile from the city, and the tribunes' jurisdiction being confined to that distance, if they should come to the place of rendezvous, they would with the rest of the people be subject to the authority of the consuls." These things terrified them; but what disquieted them most was what Quinctius often gave out, "that he would not assemble the comitia for the election of consuls. That the affairs of state were reduced to that extremity, as rendered it impracticable to retrieve them by ordinary methods; and there was a necessity for nominating a dictator in order to make them, who made it their business to disturb the tranquillity of the republic, sensible that there was no appeal from that magistrate.

XXI. In mean time the senate was met in the capitol, whither the tribunes came with the people in the utmost consternation. The multitude made a great clamour, imploring the compassion sometimes of the consuls and sometimes of the senators. But the consul was inflexible, till the tribunes had first promised to submit themselves for the future to what the senators should require of them. Then the consul made a motion in favour of the demands of the tribunes and people, and the senate came to the following resolutions, "that the tribunes should neither propose their law that year, nor the consuls lead an army out of the city. That they judged it inconsistent with the interest of the state, to continue the same magistrates in office from year to year, or to elect the same persons tribunes more than once." The consuls submitted to this decree; but the same tribunes, in spite of the consuls' remonstances, were re-elected. The patricians, not to be behind hand with the plebeians, put Quinctius in nomination for the consulate. On no occasion did this consul exert himself, through the whole year, with greater vehemence than upon this. "Is it any wonder," says he, "O conscript fathers, that your authority is contemptible to the people? You set light by it yourselves, when because they have broke through an order of the senate by continuing the same magistrates, you would do the same, that you may not be outdone by them in temerity, as if to be unsteady and wavering was to have most power in the republic. It is greater levity and folly to infringe acts and decrees of your own making, than those of others. Tread you, O conscript fathers, in the steps of the giddy multitude, and do you, who ought to be an example to others, rather than set them a pattern of steady conduct, follow their precedents to do evil; whilst I, disdaining to copy after the example of the tribunes, will not suffer myself to be nominated again for the consulate contrary to the senate's decree. And let me



conjure you in particular, O C. Claudius, to restrain this licentiousness of the Roman people; and be assured by me, that I shall be so far from looking on your conduct herein, as obstructing my honour, that I shall count it an addition to the reputation I shall gain by despising this dignity, and as a lessening of that ill-will which being continued in that office would derive upon me." Upon this the senators with common consent issued out a proclamation, "that none should vote for L. Quinctius being consul; if he did, his suffrage should not be regarded."

XXII. Q. Fabius Vibulanus and C. Cornelius Maluginenses were elected consuls. This was the third time Fabius had been raised to that dignity. This year a census (*a*) was held, but no lustrum was made by reason of some religious scruples about the capitol's having been polluted and the consul killed. In the beginning of this consulate affairs were much embroiled, for the tribunes excited the people to sedition, and the Latines and Hernici sent intelligence, that the Æqui and Volsci were making great preparations for war. The Volscan army was already come to Antium, which colony the Romans dreaded would revolt. Besides it was with great difficulty they could prevail with the tribunes to allow them to stop the progress of this war in time. Then the consuls shared the provinces between them, and it was Fabius's lot to march the legions to Antium, and Cornelius's to stay and guard the city, lest any part of the enemy's troops, as was usual with the Æqui, should come and ravage their lands. In the mean time the Hernici and Latines were commanded to furnish their quota of troops as stipulated by treaty. Thus two thirds of the army consisted of allies and one of Romans. These confederate troops having come at the appointed day, the consul pitched his camp without the gate Capena; from thence, after purifying his army by sacrifice, he marched to Antium, and set down not far from that town and the enemy's camp. Upon this the Volsci, finding the Æquan forces were not come up, and not daring to fight alone, thought only of remaining quiet in their camp, and defending themselves within their intrenchments. Next day Fabius drew up his army, not in one united body of allies and citizens, but formed them into three separate battalions of Romans, Latines and Hernici, each by themselves, round the enemies' lines. He placed himself in the centre with the Roman infantry. Then he ordered them to observe the signal, that both they and the allies might at the same time begin the attack, and retire together if he should sound a retreat. After this he posted the cavalry of each people in the rear of their respective battalions. In this dis-

position he invested their camp in three different places, and attacking it vigorously on all sides, drove the Volsci, who were not able to sustain his charge, from their lines. Then getting immediately over the fortifications, and finding them in great consternation, and crowded together in one corner, he drove them out of their camp. As they fled thence in great disorder, the cavalry, who could not easily get over the trench, and had stood only spectators of the fight, having now got them in the open plain, shared in the victory by cutting them in pieces as they fled in great fright. Many of them were killed both within the camp and in the flight without the lines. The booty was the greater, because the enemy could scarcely carry their arms away with them; nor had a man of them escaped, had not the woods covered their flight.

XXIII. During these exploits at Antium, the Æqui, in the mean time, sending the flower of their youth before, surprised the citadel of Tusculum in the night, and sat down with the rest of their army not far from the walls to intercept the enemy's forces. This news being brought by express to Rome, and from thence sent to the camp at Antium, affected the Romans as much as if they had been told that the capitol was taken. The signal service done them by the Tusculans, still fresh in their memory, and the similitude of the calamity, seemed to demand succour in return. Fabius therefore, neglecting every thing else, conveyed the booty from the camp to Antium, where he left a small garrison, and marched with all expedition to Tusculum, suffering his soldiers to carry nothing but their arms and such provisions as were ready dressed. The other consul, Cornelius, sent them provisions from Rome. The war lasted several months before Tusculum. Fabius with part of his army invested the enemy's camp, sending the rest to assist the Tusculans to recover their citadel, which was impregnable by all force. At last famine obliged the enemy to abandon it, who being reduced to the last extremity, were forced by the Tusculans to pass under the yoke naked and without their arms. The Roman consul pursued them in their shameful flight homewards, and coming up with them at Algidum, put every man of them to the sword. After this victory he led back his army (*a*) and encamped at Columen (*b*), for so was the place then called. Cornelius likewise, seeing the city in no danger, now the enemy was defeated, marched out of Rome with the army under his command. Upon this the two consuls, entering the enemy's territories by two different ways, vied with one another in ravaging the country of the Volsci on one hand, and that of

the *Æqui* on the other. I find in most authors that the *Antistes* likewise revolted this year, and that L. Cornelius fought against them and took their town. But I do not positively affirm it, because I do not find it mentioned by any of the more ancient historians.

XXIV. When this war was ended, another with the tribunes at home put the senators in great fright. They exclaimed against their cunning practices in keeping the armies in the field, as done with a view to prevent the passing of the law. Yet they declared they would go through with what they had undertaken. But P. Lucretius, governor of the city, prevailed with the tribunes to stop proceeding till the arrival of the consuls. There arose likewise a new ground of contention; A. Cornelius and Q. Servilius, at that time questors, appointed M. Volscius a day to take his trial for having undoubtedly given false evidence against Cæso. For it appeared by many convincing proofs, that the brother of Volscius from the time he had been taken ill, not only had never been seen abroad, but had not so much as rose out of bed, and after languishing for many months under the disease, had at last died of it: neither had Cæso been seen at Rome at the time his accuser had laid in the indictment against him, many, who served with him in the wars, affirming, that he had been all that time constantly attending his colours without any furlough. And many undertook to prove it was so. But he durst not venture to stand this trial; and from all these concurring circumstances it was no more doubted that Volscius certainly would be condemned, than that Cæso had been so upon his single testimony. But the tribunes stopped the trial, refusing to let the questors hold the comitia for trying of the accused, except they were first assembled for enacting the law. Thus were both these matters deferred till the return of the consuls. And as, on the consuls entering the city in triumph with their victorious army, no mention was made of the law, most people believed that the tribunes had been terrified by their presence. On the contrary, it being the latter end of the year, they, ambitious of getting themselves elected for the fourth time, had dropped all disputes about the law, reserving themselves to make interest against next election. And notwithstanding the consuls opposed the re-election of the same tribunes as vigorously as if a bill had been brought in for lessening their own authority; yet the tribunes gained the victory in the struggle. The same year the *Æqui* sued for peace, which was granted them; and the census, which had been begun in the former year, was completed. This was the tenth lustration which had been made since the

foundation of the city. One hundred thirty-two thousand four hundred and nine citizens were enrolled. This year the consuls gained great glory by their conduct both in peace and war, for they made peace with all their neighbours; and the state, though not entirely free from civil dissensions, was yet less embroiled than at other times.

XXV. Then were L. Minucius and C. Nautius made consuls, who took under consideration the two causes which had not been determined the former year. The consuls opposed the law, and the tribunes the trial of Volscius in the same manner. But these found the new questors were men of more resolution, and had greater weight than the former. T. Quinctius, who had been thrice consul, then held that office. He had M. Valerius, the son of Valerius, and nephew to Volesus, for his colleague. Because Cæso, the flower of the Roman youth, could neither be restored to the Quinctian family nor to the republic, he justly and out of affection to his relation prosecuted the person who had borne false witness against him, and even denied him the liberty of pleading in his own defence. When Virginus and the other tribunes strenuously insisted on having the law passed, the consuls had the space of two months allowed them to examine it, that, after unravelling to the people the fraudulent designs concealed under it, they might suffer the suffrages to be collected for ratifying it. The granting of this respite produced a general tranquillity in the city. But the Æqui did not allow them to be long in quiet; for having broken the treaty, which they had made the year before with the Romans, they gave the command of their army to Gracchus Clælius, who was at that time by far the greatest man amongst them. Under his command therefore passing through the Lavican territories, they entered and laid waste those of Tusculum in an hostile manner, and loaded with spoil encamped at Algidum. Thither came Q. Fabius, P. Volumnius and A. Posthumus as ambassadors from Rome to complain of the injuries they had done, and to demand restitution of goods according to treaty. But the Æquan general commanded them "to deliver the commission they had from the senate of Rome to the oak tree; for in the mean time he had other business to mind." The oak tree he spoke of was a large one that hung over his tent, and by its branches formed a cool shade. Upon which one of the ambassadors as he departed said, "Let this sacred oak, and whatever god inhabits it, mark your breach of treaty. May they regard our present complaints, and in a little time prosper our arms, when we shall punish you for your violation of the laws

both of gods and men." As soon as the ambassadors were returned to Rome, the senate ordered one of the consuls to march with an army to Algidum against Gracchus; and to the other they assigned the province of laying waste the territories of the *Equi*. The tribunes, as usual, opposed the levies at first, and probably would have done so to the last, but a new cause of fear was suddenly added.

XXVI. A great army of Sabines advanced within a little of the walls of the city, ravaging all before them in an hostile manner. The Roman lands were laid waste, and the city was in great consternation. Then the people cheerfully took arms, and in spite of all the tribunes could do to hinder it, two great armies were levied. Nautius led one of them against the Sabines and encamped at Eretum (*a*), from whence sending out small detachments, and these mostly in the night, he committed such terrible depredations, that, upon comparison, the Roman territories seemed scarcely to have been touched by the enemy. But Minucius had neither equal courage nor success in his expedition; for having encamped close by the enemy, without sustaining any considerable loss, he kept within his camp for fear. The enemy no sooner perceived his cowardice, than, as usually happens, their courage was greatly animated. They therefore attacked his camp in the night; but seeing open force did not succeed, the next day drew lines round it. Before these were quite finished, and all the ways blocked up, five horsemen dispatched for the purpose passed through the centinels of the enemy, and carried the accounts to Rome, that the consul and army were besieged. Nothing more unexpected or less looked for could have happened, and it occasioned as great terror and consternation at Rome, as if the city itself, instead of the camp, had been invested. Upon this they sent for the consul Nautius; but as they could have no dependance upon him, they judged it proper to have a dictator to retrieve their embarrassed affairs, and unanimously pitched upon L. Quinctius Cincinnatus to fill that office. It is worth those persons' while, who despise every human endowment in comparison with riches, and think that that there can be no real greatness or distinguished merit without a flow of wealth, to attend to the following narration. This L. Quinctius, the sole prop of the Roman state, cultivated with his own hand four acres of land, which are called the Quinctian meadows (*b*), and lye on the other side of the Tiber, opposite to that very place where the ship-docks (*c*) now are. There was this great man found by the deputies of the senate, either digging a ditch with a spade, or at plough: at least this is

certain, that he was busily employed about his farm. When the usual compliments on both sides were over, they begged him "to put on his gown and hear the message of the senate, praying it might prove auspicious both to himself and to the state." Upon this asking them in consternation, "if all was well?" he desired his wife Racilia with all expedition to fetch his gown from their cottage, and after wiping off the dust and sweat with which he was besmeared, he put it on and went out to them. The deputies saluted him dictator with the usual compliments, desired him to go to the city, and informed him of the danger the army was in. A barge was sent before by the state to carry Quinctius over the river. On his landing he was first received by his three sons who had come out to meet him, and then by his other relations and friends, and the greatest part of the senators. Surrounded by this train, and preceded by the lictors, he was led to his house. There was likewise a great concourse of the commons, to whom the arrival of Quinctius was no joyful sight, as they thought his power too great, and himself too severe in the exercise of his authority. And indeed they kept watch in the city all that night.

XXVII. The next morning the dictator came into the forum before day-light, and nominated, for general of the horse, L. Tarquitius, a patrician by birth, who, though on account of his poverty he had served in the infantry, was nevertheless esteemed by far the best soldier amongst the Roman youth. With him he mounted the rostra, proclaimed a vacation in all the courts of justice, ordered all the shops throughout the city to be shut up, and prohibited every man from following his private business. Then he commanded all capable of bearing arms to rendezvous before sun-set in the Campus Martius with their arms, provisions for five days ready dressed, and twelve pallisades apiece for making a rampart. He likewise ordered each man, whom age had rendered unfit for service in the field, to dress provisions for the soldier who lived next to him, while he was getting ready his arms and fetching stakes. Upon this proclamation the youth dispersed themselves every where in quest of stakes, and took them where they came to hand, without any one hindering them. They were all quickly ready at the place of rendezvous according to the dictator's orders. Then the dictator at the head of the infantry, and the general of horse at the head of the cavalry, led out the army drawn up, not only in a disposition for marching, but for fighting, if occasion should offer. Each corps was animated by arguments suited to the present emergency. They were bid "to mend their pace, for it was necessary to make expedition, in

order, if possible, to come up with the enemy that night. They ought to consider a Roman consul and army were besieged, and had been close invested for three days. It was uncertain what a night or a day might bring forth. Even a single moment often determined the most important events." To gratify their leaders the soldiers called out to one another, "march on, standard bearer, follow soldier." Thus they reached Algidum by midnight, and as soon as they perceived themselves near the enemy, made their ensigns halt.

XXVIII. Then the dictator riding round the enemy's camp, and having observed, as distinctly as the darkness of the night would permit, its form and extent, ordered the tribunes to command the baggage to be heaped up in one place, and the soldiers to return with their arms and stakes into their ranks. His orders were quickly obeyed. Then he extended his army round their camp in the same good disposition as they had been marched, commanding them all whenever the signal should be given, to raise a shout, and after that, every one to draw a ditch and raise a breast-work before him. The signal soon followed these orders, which the army punctually observed, and their shout was heard round the enemy on all sides. The noise soon reached over the *Æquan* camp into the consul's, exciting great terror in the first and joy in the latter. Minucius's soldiers, congratulating one another on hearing the shouts of their fellow-citizens, and relief being at hand, of themselves put the enemy in fear from their advanced and piquet guards. The consul told them there was no time to be lost. "That the shout they had heard signified to them, not only the arrival of their fellow-citizens, but that they had already entered on action; and that it was something surprising if the enemy's lines were not by this time attacked on the outside. Therefore he commanded them to take their arms and follow him." Upon that the legions began the attack in the night, and by a shout informed the dictator that the enemy were also in danger from them on the inside. The *Æqui* had been preparing to prevent the dictator from raising works quite round them, but when the enemy from within began their attack, fearing they would cut their way through the middle of their camp, they turned to those who were fighting on the inside, and left the dictator's men to work the whole night without interruption. The engagement with the consul lasted till day break, by which time Quinctius had drawn his works quite round them, and they were hardly a match for one of the armies. Then the dictator's troops, who had returned on finishing their work, to their arms, attacked

their lines. Here began a new battle, without any respite from the consul's army which still fought on. The *Æqui*, thus hard pressed by an army on both sides, threw down their arms and begged quarter, conjuring on the one side the dictator, on the other the consul, not to pursue the victory to their utter destruction, but to allow them to depart from thence without their arms. The consul commanded them to go to the dictator, who, highly provoked, heaped marks of infamy upon them, ordering to bring their general Gracchus Clælius, and their other chief men to him in chains, and evacuate the city of Corbio, telling them, "that he did not want to shed their blood, and therefore would allow them to depart. But at the same time he would, as an express acknowledgment of their being at length a subdued and conquered nation, oblige them to pass under the yoke at their departure." This yoke was made of three spears, two stuck in the ground and a third across them, and this the dictator made them pass under.

XXIX. Having taken the enemy's camp, which was plentifully furnished with all kinds of stores (for he had stripped them of every thing) he gave the whole booty to his own soldiers. And after chiding the consular army and the consul himself, he told them, "nor shall you, O soldiers, have any share in the spoils taken from an enemy, to whom you had nigh fallen a prey. As for you, L. Minucius, till you shall begin to have that courage requisite in a consul, you shall only serve as a lieutenant general in this army." Upon this Minucius abdicated the consulship, and staid with the army as commanded. But so cheerfully did men in those days submit to the orders of abler officers, that the consular army, regarding it rather as a favour than a disgrace, decreed a crown of gold of a pound weight to the dictator, and at his departure saluted him their deliverer. The senate being convened at Rome by Q. Fabius, governor of the city, decreed that Quinctius should enter the city in triumph with the army he brought along with him. The generals of the enemy were led before his chariot, the military ensigns carried before him, and his army laden with spoil closed the procession (*u*). It is said, that entertainments were served up at the door of every man, and thus regaling themselves they followed his chariot singing songs of triumph, dancing, and making pastime, as they used to do at their annual feasts. The same day Mamilius, governor of Tusculum, was, by common consent, presented with the freedom of Rome. The dictator would have immediately abdicated his office, had he not resolved first to hold the comitia for convicting Volscius of having borne false witness. The tribunes kept quiet for fear of the dictator, and did



not offer to obstruct the trial, upon which Volscius was condemned and afterwards sent into exile to Lanuvium. Though Quinctius had received the dictatorship for six months, he laid it down on the sixteenth day. In the mean time the consul Nautius fought successfully against the Sabines, and besides laying waste their country routed them in a general battle. Fabius was sent to Algidum to succeed Minucius. In the end of the year the law was again brought forward by the tribunes. But because two armies were abroad, the senators prevailed that no bills should be offered to the people, who in their turn succeeded in choosing the same tribunes a fifth time. It was then reported that wolves had been seen in the capitol and were chased away by dogs, for which it was purified.

XXX. These were the memorable events of this year. The consuls for the next were Q. Minucius and C. Horatius. In the beginning of it, though they enjoyed peace abroad, yet the same tribunes and the same law occasioned disturbances at home, which probably would have risen to a greater height (so much were their hearts inflamed) had not account been brought, as if it had been purposely contrived, that the garrison of Corbio was surprised in the night by a sudden assault of the Æqui. Upon which the consuls assembled the senate, and order was given to levy an army with all expedition, and to send it to Algidum. Then laying aside all disputes about the law, a new contest about the levies, in which the consular authority was worsted by the people with the assistance of the tribunes, when a new cause of terror was added to the former. The Sabine army had made a descent into the Roman territories for plunder, and from thence were advancing even to the city. This struck such a terror, that the tribunes consented to the levies, but upon this express condition, that, as they had now been baffled for five years successively, and their present number was but a weak protection for the people, for the future ten tribunes of the people should be created. Necessity extorted this from the senators, with this single restriction, that they should not henceforth re-elect the same persons to be tribunes. Immediately the comitia were held for electing ten tribunes, for fear, like other things, it should not take effect when the war was ended. Thus in the thirty-sixth year after the first creation of tribunes, were ten created, two out of each class, and care was taken ever after to choose them in this manner. Upon which the levies were made, and Minucius marched against the Sabines, but did not meet with them. The Æqui, after putting the garrison of Corbio to the sword, having likewise taken Op-

tona, Horatius fought them at Algidum, killed many of their men, drove them not only from thence, but out of the two forementioned cities, and razed Corbio, because its inhabitants had betrayed the garrison.

XXXI. After that were M. Valerius and Sp. Virginius made consuls. Rome then enjoyed peace both at home and abroad; but the rains which fell occasioned a great scarcity of provisions. A law was likewise passed for making mount Aventine common. The same tribunes were re-chosen, who in the following year and consulate of T. Romilius and C. Veturius proposed the law in all their assemblies, saying, they should be ashamed of having had their number augmented in vain, if that affair was to be eluded all the two years of their tribuneship, as it had been during the five preceding years. While the tribunes were wholly intent upon this affair, an express arrived from Tusculum, with account that the Æqui had invaded that country. The late eminent service that nation had done the Romans made them ashamed to delay sending succours thither, and therefore both consuls were detached with an army, who found the enemy in their ordinary camp at Algidum. There they attacked and killed above seven thousand of them, put the rest to flight, and gained a great booty, which the consuls sold, because of the want of money in the treasury. Yet this proceeding raised a great deal of ill-will in the army, and in the end furnished the tribunes with matter of accusing the consuls before the people. As soon therefore as they were out of office both had a day appointed for their trial, under the consulate of Sp. Tarpeius and A. Ardonius. Romilius was prosecuted by the tribune C. Claudius Cicero, as was Veturius by L. Allienus, ædile of the people. Their condemnation extremely exasperated the senators. Romilius was fined ten thousand and Veturius fifteen thousand brass asses. But this misfortune which befel these former consuls did not make their successors less active, who swore, that should they likewise be condemned, yet the people and tribunes should not be allowed to carry their law. Upon this the tribunes, dropping the law, which was now grown stale by being often published, assumed a milder behaviour towards the senators, begging them, "at length to put an end to all contests, and since the plebeian laws displeased them, to allow indifferent lawgivers, part plebeians and part patricians, to be created, who might enact laws for the common benefit, and equally securing the liberty of both ranks." The senators did not slight this proposal, but insisted that none but patricians had a right to enact laws. When therefore they were agreed upon the laws, the sole dispute was

who should be the law-makers. And in the end Sp. Posthumius Albus, A. Manlius and P. Sulpicius Camerinus were sent as deputies to Athens to copy the celebrated laws of Solon (*a*), and to learn the statutes, customs, and law of the other states of Greece.

XXXII. No foreign war disturbed the Romans this year. The following was still more peaceable in the consulate of P. Curatius and Sextus Quintilius; for the tribunes were then very quiet, in the first place because the ambassadors were gone to Athens, and in expectation of foreign laws, and in the next place on account of two grievous calamities, which broke out, famine and pestilence, pernicious both to man and beast. Their lands lay desolate, the city was thinned by daily burials, and many and honourable houses in mourning. Ser. Cornelius high priest of Romulus died, as did the augur C. Horatius Pulvillus, in whose room the augurs chose C. Veturius, the rather because he had been condemned by the people. Quinctilius the consul and four tribunes of the people likewise died, and thus was the year polluted by a great mortality. In the mean time their enemies gave them no disturbance. In the following, year C. Menenius and P. Sestius were created consuls. Neither had they any foreign war, but intestine commotions broke out. By this time the ambassadors were returned with the Athenian statutes, and on that account the tribunes were more pressing in their instances for beginning to draw up a complete body of laws. Then was it thought convenient to create decemvirs from whose judgment there should be no appeal, and that there should be no other magistrates that year. For some time it was warmly debated, whether plebeians should be joined in that commission, but in the end it was given up to the patricians upon that condition the Icilian law about mount Aventine, and other sacred laws should not be repealed.

XXXIII. In the year 301 after the building of Rome, was the form of government changed from that of consuls to that of decemvirs, as it had formerly been from regal to consular. This revolution was the less memorable as it did not continue long. Upon the first establishment of this form of government the public joy was very extravagant, but the tyranny of the decemvirs hastened its downfall, and the restoration of consular government both in name and authority. Appius Claudius, T. Genucius, P. Sestius, L. Veturius, C. Julius, A. Manlius, Ser. Sulpicius, P. Curatius, T. Romilius and Sp. Posthumius were created decemvirs. This honour was conferred on Claudius and Genucius as a recompence for their having been nominated consuls for that year, and on Sestius, one of the consuls the year before, because he had

brought that affair before the senate against the will of his colleague. After them were named the three deputies who had gone to Athens, as an honourable reward for their distant embassy, and because they supposed that those, who were well skilled in the laws of other countries, would be useful in compiling new ones at home. The others mentioned above completed the number. It is moreover asserted, that those who were nominated last of all, were persons so far advanced in years, that they were not able resolutely to combat the opinions of the others. By the favour of the people Appius had the chief sway in the decemvirate; for he had so new modelled his temper, that of a cruel and severe persecutor of the plebeians, he was now become one of their greatest patrons and studied popularity in every respect. Each of these new magistrates administered justice to the people every tenth day, with the fasces carried before him whose turn it was to preside, the other nine being that day only attended each by a single officer (*a*). And during this harmony amongst themselves (which often proves prejudicial to private persons) they behaved towards others with the strictest justice. It shall be sufficient to mention one affair as a proof of their moderation. Notwithstanding they had been created without any appeal from their judgment, yet upon a dead body being found and dug out of the house of P. Sestius, a patrician by birth, and its being exposed in the public assembly, in so manifest and so atrocious a case, C. Julius a decemvir appointed him a day for taking his trial; and though he himself was the legal judge of that cause, yet he became his prosecutor before the people, yielding his own right, that he might add to the right of the people what he had remitted of his own decemviral authority.

XXXIV. While both high and low extolled to the skies this form of government, which rendered justice to every one with the greatest readiness and the impartiality of an oracle, the decemvirs set about compiling a body of laws. At length they gratified all the expectations of all men by calling an assembly, and exposing to view ten tables of laws; and after praying "that it might prove beneficial, fortunate and auspicious to the state, to themselves and their posterity, desired them to go and read the laws they had proposed. For their own parts, as far as the united skill of ten men could discern, they had equally adapted them to the circumstances of both high and low; but the judgment and discernment of many was able to penetrate farther. Therefore they begged that the people should ponder with themselves each article, confer together about them, and then declare in public, what they

should think superfluous or defective in each clause; by this means the Romans might have such laws, as they had not merely passed when proposed by others, but had rather concerted themselves." When each clause had remarks made upon it, in these conferences of the people, and the whole seemed amended to the general satisfaction, ten tables of laws (*a*) were ratified in the comitia by centuries (*b*), and these are even to this day, amidst the immense heap of laws accumulated upon one another, the source of all public and private right. Then a report was spread that two tables were still wanting, the addition of which would make the body of Roman laws complete. This expectation, when the day for a new election approached, made them desirous of electing decemvirs a second time. For, besides that the name of consul was as odious as that of king, the commons did not now desire the protection of their tribunes, seeing the decemvirs suffered appeals from one another's sentences.

XXXV. The day of assembly for electing new decemvirs being fixed twenty-seven days after, there was such canvassing for that office as had never been known. For the principal men of the state (for fear, I believe, that an office of so great authority, if not supplied by themselves, should lie open to persons unworthy of it) made interest for that honourable office, the establishment whereof they themselves had opposed with all their might, humbly suing to that very people with whom they had contended about it. Appius was terribly alarmed, when he saw men of their rank and years, and who had served in such honourable employment, so warm in pursuit of this. One could not well say, whether he was to be reckoned in the number of the present decemvirs, or of the candidates for the ensuing election; for he more resembled one suing for, than one actually bearing an office. He disparaged the nobility, but extolled the lowest and meanest of the competitors, flying through the forum in the midst of the Duilii and Icili, by them making his court to the people, till at length his colleagues, who to that time had been entirely at his devotion, began to observe him narrowly, wondering what his design could be. It appeared to them that he was acting the hypocrite; for said they, "It must be from interested views that one so excessively haughty was become so courteous. To restrain himself so much contrary to his nature within the bounds of civility, and to associate openly with private persons, did not look so like making haste to abdicate, as seeking the means to continue in his magistracy." They durst not openly venture to oppose his ambitious designs, but endeavoured to stop his career by a feigned

compliance. For though he was the youngest man among them, they unanimously appointed him to preside in the comitia at the election. This was a stratagem to exclude him from the decemvirate except he should name himself, which had never been done before by any but tribunes of the people, and even that was a most shameful precedent. Nevertheless he having declared he would hold the comitia, which he hoped would prove fortunate, turned the obstacles thrown in his way into means of success; for having by his intrigues set aside the two Quinctii, Capitolinus and Cincinnatus, and his uncle C. Claudius, a man always firmly attached to the interest of the nobility, and other citizens of the same distinction, he created men decemvirs, no wise to be compared with them, either in dignity or character, and nominated himself first, an action which all good men disapproved, and nobody believed he would have had the impudence to have done. His colleagues were M. Cornelius Maluginensis, M. Sergius, L. Minucius, Q. Fabius Vibulanus, Q. Pætilius, T. Antonius Merenda, Cæso Duilius, Sp. Oppius Cornicen, and Manlius Rabuleius.

XXXVI. Here Appius laid aside his assumed character, and began from henceforth to live agreeably to his real temper, and to model his new colleagues, even before they should enter upon their magistracy, to his own manners. They daily held secret meetings, and having by this means completed tyrannical schemes, which they hatched remote from the knowledge of other people, they no longer concealed their haughtiness, but few were admitted to their presence, and those who were they treated with insolence, and thus the time was spun out till the ides of May, which was then the time of entering upon office. Therefore in the very beginning of their magistracy, they signalized the first day of their office by spreading a general and great terror among the people. For whereas the former decemvirs had observed this rule, that one only should have the fasces at a time, and that this ensign of royalty should pass in rotation through them all to each in his turn, they, on the contrary, all suddenly appeared with twelve fasces a-piece. The forum was filled with one hundred and twenty lictors, carrying axes tied up in their fasces. Nor did they think it concerned them to keep back the axes, since they had been created without appeal. They had the appearance of ten kings, and not only struck an additional terror into people of lowest rank, but even into the principal members of the senate who imagined they sought for grounds and pretexts to begin a massacre: that if any one, either in the senate, or assemblies of the people should mutter a word, tending to recal the remembrance

of liberty, they might be immediately scourged or beheaded, to strike terror into others. For besides that no relief could be had from the people, now the right of appeal to them was taken away, they had by agreement taken away all hopes of having the injuries of one redressed by another; whereas the former decemvirs had suffered their verdicts to be amended by an appeal to some of their colleagues, nay transfer'd causes to the judgment of the people, which seemed properly to be under their own cognizance. For some time they struck terror equally into all ranks, but by degrees began to turn it all against the populace. They did not meddle with the patricians; but formed tyrannical and cruel designs against those of lower rank, regarding the person not the cause, like those who are swayed by favour and not by equity. They concerted their judgments at home, and only pronounced them in the forum. If any appealed from one decemvir's judgment to his colleague, he to whom he had appealed for redress, gave him reason to repent that he had not abode by the verdict of the former. There was also a report spread, though the author could not be discovered, that they had not only conspired this tyranny for the present time, but had secretly entered into an association under oath, not to assemble the comitia for a new election of magistrates, but, since they had once got possession of the sovereign power, to perpetuate their decemvirate.

XXXVII. Then the people fixed their eyes upon the patricians, to see if they could discover any hopes of liberty in the countenances of those from whom they had dreaded slavery, and by these suspicions sunk the republic into its present deplorable condition. The principal senators hated both decemvirs and people, and though they were far from approving of what was done, yet thought the people richly deserved this fate. And seeing by greedily grasping at liberty they had plunged themselves into servitude, they had no inclination to succour them; nay they heaped injuries upon them, that, being quite weary of the present tyrants, they might at last come to wish for the re-establishment of two consuls and the ancient form of government. The greater part of the year was now passed, and two tables of laws (*a*) were added to the ten made in the preceding year; and after these laws should be once ratified in the comitia by centuries, the state would no longer have occasion for decemvirs. Therefore it was expected, that a proclamation would be immediately issued out for assembling the comitia to create consuls. The people were wholly taken up in concerting measures for restoring the tribunician power, that bulwark of their liberty, which had been

discontinued during the decemvirate. But in the mean time no mention was made of assembling the comitia, and the decemvirs, who, at first, had paid their court to the people surrounded by the tribunes, because that was reckoned a popular thing, had now got a band of young patricians about them. A company of these constantly guarded their tribunals and made havock of the people, and disposed of their effects at pleasure; and whatever any great man coveted fortune put him in possession of it; they did not even spare their persons, but whipt some and beheaded others. And that this cruelty might not go unrewarded, they were presented with the effects of the person oppressed, the confiscation whereof always followed his punishment. The young nobility, debauched by this reward, did not only connive at the oppression of the people; but openly wished rather to live in this licentious manner, than in a state of public liberty.

XXXVIII. The ides of May came, and no new magistrates being chosen, those who were in reality but private persons appeared as decemvirs, without any intention to abate the least of their authority, or even drop the ensigns or marks of power. This seemed manifestly an usurpation of regal tyranny. Every body constantly deplored the loss of liberty; but none for the present asserted its cause, nor was there any prospect of future relief. The Roman people had not only lost their former courage, but began even to be despised by the neighbouring nations, who disdained to be subject to state which had lost its own liberty. The Sabines made an incursion upon the Roman territories with a great army, and having laid them waste far and near, carried off a great booty, both of men and cattle, with impunity; and returning with their army, which had been dispersed over the whole country, encamped at Eretum, in confidence that the divisions at Rome would obstruct the levying of forces there. Not only the messengers, which brought these accounts, but the peasants, who fled from the neighbourhood, filled the city with terror. The decemvirs deliberated upon proper measures to be taken; and while they were, between the hatred of the patricians and plebians, destitute of all relief, fortune superadded another cause of fear beside the former: for the Æqui, on the other side, formed a camp at Algidum. Ambassadors from Tusculum brought word to Rome, that they from thence made incursions upon and pillaged the dominions of that state, and implored aid against them. This struck such fear into the decemvirs, that, seeing the city threatened with war from two different quarters at the same time, they had recourse to the senate. They commanded the senators to be



cited to assemble in the senate house, not ignorant of the storm of ill-will which hung over their heads. "The whole blame of the country's being laid waste, and the other dangers that threatened them, would be thrown on them. An attempt would then be made to put an end to their magistracy, if they did not, by a firm union among themselves, oppose it, and, by a severe exercise of their authority upon a few of the most resolute, crush the enterprizes of the rest." The herald was no sooner heard in the forum, summoning the fathers to meet the decemvirs in the senate house, but the novelty of the thing, so long had they discontinued the custom of consulting the senate, astonished the people. "What can have happened," cried they in surprise, "to occasion their revival of an obsolete custom after so long disuse! We may thank our enemies and the present war, that any spark of the ancient freedom of our state appears." They looked round the whole forum for a senator, but scarce saw one there. From it they went to the senate house, and found it quite empty round the decemvirs, who attributed the fathers not assembling to a wilful contempt of their authority, while the people imagined they had refused, because private persons had no right to convene the senate. "This beginning," thought they, "promised fair for the recovery of their liberty, if they would only keep pace with the senators, and refuse to enrol themselves, as the fathers had not assembled when summoned." These things were whispered by the plebeians. There was scarcely a senator in the forum, and but few in the city. For, through abhorrence of the present tyranny, they had retired to the country, and, laying aside all concern for the public, minded their own private affairs; thinking the greater distance they were at from the assemblies and meetings of those outrageous tyrants, the farther they were removed from harm. When they did not appear on the summons, officers were sent about to their houses to distrain their goods, and to enquire whether they had absented themselves with design. These officers reported, that the senators were in the country, which gave greater joy to the decemvirs than if they had said they were in town, but disowned their authority. Commanding them, therefore, to be sent for, they adjourned the meeting to next day, which was then more numerous than had been expected. From this the people imagined that the senators had betrayed their liberty; because they had obeyed those, who ought, before that time, to have abdicated their magistracy, and who, were it not for their violent measures, would be but private persons, as if they had had a legal authority to compel them.

XXXIX. But we have heard, that they were more obedient in coming to the senate house, than favorable to the decemvirs in giving their opinion there. For it is said, that, after Appius had opened the cause of their meeting, L. Valerius Potitus, before the opinions were asked in order, demanded to say something on the state of the republic; and when the decemvirs with threats commanded him silence, he swore he would go out to the people and raise a sedition. Horatius Barbatus seconded him with no less warmth, "calling the decemvirs ten Tarquins; and putting them in mind that the kings had been expelled by the Valerii and Horatii. It was not the title of king that they were at that time weary of. For it was lawful to use that title which was given to Jupiter; which Romulus, the founder of their city, had enjoyed, and those kings who succeeded him, and was still retained in the rites of religion and yearly festivals: it was the pride and violence of a king that was so hateful; and if these were intolerable in a real king or in the son of a king, were they to be endured in so many private persons? He bade them look to it, lest, by denying men liberty of speech within the senate house, they should speak their minds without doors; neither did he see, that he himself, a private man, had less authority to call an assembly of the people, than they had to convene the senate. They might try, when they would, how much more keen the resentment of the people in asserting their liberty would be, than their strong ambition to maintain themselves in their illegal authority. They had mentioned the Sabine war, as if the Roman people had any more declared enemy than the decemvirs themselves, who having been created to establish laws, had not left a spark of equity in the state: they who had suppressed the comitia, abolished the annual magistracies, and taken away the custom of governing by turns, the only method consistent with liberty; who, being only private persons, had the fasces and absolute domination. That upon the expulsion of the kings, the magistrates were all patricians, but afterwards, on the secession of the people, were plebeians likewise." Then he asked, "which of these interests they were in. Can those men be in the interest of the people? for what have they ever done with their consent? Or in that of the nobility? who have not for a whole year convened the senate, and now they had assembled it, debarred them the liberty of speaking to the state of the republic. They ought not to trust too much to the want of resolution in others; for the people were now convinced, that their present oppression was more tolerable, than any thing they had to fear for the future."

XL. Horatius having spoke this with great warmth, while the decemvirs could neither find a vent to their resentment, nor put up with what was said, and could form no judgment how this affair would terminate; C. Claudius, uncle to Appius the decemvir, made a speech rather full of entreaties than reproaches, conjuring his nephew by the manes of his brother and father, "to have more regard to that whole community, in which he was born, than to that unlawful combination which he had entered into with his colleagues. He made this request more for his own, than the sake of the republic; for if they would not willingly restore it its rights, it would wrest them back from them against their will. But as great struggles most commonly raise a great deal of ill-will, he shuddered to think on the event of them." Though the decemvirs had forbid speaking on any other than the subject of their meeting, yet they were ashamed to interrupt Claudius. He therefore proceeded to give his opinion, "that the senate should pass no decree." This all men understood, to be a declaration of the decemvirs being private persons, and to this many who had been consuls assented in their speeches. The other opinion was in appearance more harsh, but affected the decemvirs less, "that the patricians ought to meet and chuse an interrex." For by this vote, those were acknowledged as magistrates who held the senate, but those who declared for passing no decree, made them private persons. The interest of the decemvirs thus sinking, L. Cornelius Maluginensis, brother to M. Cornelius the decemvir, having been designedly reserved to speak last of all the men of consular dignity, screened his brother and his colleagues, by pretending a great concern for the war. "He wondered, he said, by what fatality those who had either been candidates for the decemvirate, or partners in it, should above all others be so keen in their opposition to the decemvirs? And how it happened, that during so many months that the state had enjoyed quiet, none had ever disputed the justice of their title, who have held the supreme magistracy; but at length, when the enemy is near our gates, sow civil discord; unless it be, that they think their designs could not be so clearly discerned, in these troublesome times? But it was meet, that none, while they were distracted with greater concerns, should bring in any thing new to divert them from an affair of such consequence. As to the charge which Valerius and Horatius had brought against the decemvirs, that their authority had expired at the ides of May; he was of opinion, that the senate ought to take that affair under consideration, as soon as the wars, which were then impending, should be ended, and tranquility restored to the state: and

Appius should from that time prepare himself for his defence, knowing he must render an account of those comitia, which in his first decemvirate he had held for the election of new decemvirs, that the senate might judge whether they had been appointed only to continue for one year, or till such laws as were wanting should be completed. But at present he was for postponing the consideration of every other thing except the war. If they thought the alarm of it false, and that not only the messengers, but the Tusculan deputies had brought them groundless accounts, they ought to send out scouts, to enquire and bring them more certain intelligence. But if they gave credit to what the messengers and deputies had reported, they ought with the greatest expedition to levy troops, and the decemvirs to lead them to what place they thought proper. This ought to be done previously to every thing else."

XLI. With great struggling the young patricians carried it in favor of this opinion. Upon which Valerius and Horatius rising a second time with greater keenness than at first, demanded aloud "liberty to speak to the state of the republic; declaring that if by the power of faction their mouths should be stopped in the senate, they would go out and speak to the people. The decemvirs, who were but private persons, could not hinder them to speak either in the senate or in a public assembly; nor would they yield to their sham fasces and usurped authority." Upon that Appius, seeing matters reduced to such extremity, that if he did not oppose their violence with equal courage, the decemviral authority would be lost, said, "At your peril say any thing, but what relates to the affair about which we ask your advice;" and upon Valerius refusing "to be silent at the command of a private person," ordered a lictor to lay hold on him. While Valerius, from the porch of the senate house, "called out to the Romans for help," Cornelius took Appius in his arms, and put an end to the dispute, though it was not out of regard for him, for whose sake he pretended he had done it. Valerius, by the interposition of Cornelius, obtained liberty to say what he would, but as this liberty extended only to words, the decemvirs gained their point. The men of consular dignity and aged senators likewise, from a remaining grudge to tribunician power, which they thought the people were much fonder of than of consular, chose rather that the decemvirs themselves should afterwards voluntarily abdicate their magistracy, than that the people, through their aversion to decemvirs, should get head again. For should the government peaceably, and without any popular commotion, return into the hands of consuls, it

was possible, that, either by the intervention of wars, or a mild exercise of the consular government, the people might be brought to forget their tribunes. Thus an edict was issued for raising an army without any obstruction on the part of the senators, and the youth, as there was no appeal from the decemviral authority, answered to their pames when called. When the legions were completed the decemvirs agreed among themselves, who should go out to the war, and who should command the armies. The two leading men among the decemvirs were Q. Fabius, and Appius Claudius. There appearing more danger from the commotions at home than the war abroad, they thought Appius, by reason of his imperious temper, fittest to quell the disturbances in the city. Fabius was not so steady in a good, as active in a bad cause. For his colleagues in the decemvirate had so changed this man, who had formerly behaved very well both in peace and war, that he chose rather to resemble Appius than act like himself. He was commissioned to march against the Sabines, and had Man. Rabuleius, and Q. Petilius given him as colleagues. M. Cornelius was sent to Algidum, with L. Minutius, T. Antonius, Cæso Duilius and M. Sergius. They appointed Sp. Oppius to assist Appius in defending the city, and invested them equally with the whole decemviral authority.

XLII. The war was as ill managed abroad, as the state was at home. The only thing wherein the generals were to blame, was in having rendered themselves odious to the citizens: otherwise the soldiers were wholly in fault; for, that nothing might succeed under the command and conduct of the decemvirs, they suffered themselves to be beat, to their own and their commanders disgrace. Their armies were routed by the Sabines at Eretnum, and by the Æqui at Algidum. That at Eretnum fled thence in the dead of the night, and intrenched themselves on a rising ground between Fidenæ and Crustumeria. The enemy followed them thither, but the Romans would never venture a battle on fair ground; and defended themselves by the strong situation of the place and their ramparts, not by valour and arms. Those at Algidum behaved still worse, and received a more terrible overthrow: for having lost their camp, and being stripped of all their warlike implements, they retired to Tusculum, trusting, for subsistence and protection, to the fidelity and compassion of their allies, who did not disappoint their hopes. Such terrifying accounts were brought to Rome, that the senators, laying aside their hatred to the decemvirs, passed a vote, "that guards should patrol in the city; and that all who were of an age fit to bear arms should be

posted to guard the walls and gates." They likewise decreed "a reinforcement of men and supply of arms for the troops at Tusculum, and that the decemvirs should draw their forces out of the citadel of that place, and encamp them in the open field, and march the troops that lay at Fidenæ into the Sabine territories, that by carrying the war into the country of the enemy they might be diverted from their design of attacking Rome."

XLIII. To what the people had thus suffered from the enemy, the decemvirs superadded two most enormous actions, the one in the camp, and the other in the city. In that army which opposed the Sabines, L. Siccus, from the ill-will he bore to the decemvirs, having, in secret whispers, mentioned to the common soldiers the creation of tribunes and making a secession, was sent before by the generals to look out a proper place to encamp in. The soldiers, whom they sent to accompany him in his expedition, were ordered to fall upon and kill him in a convenient place. He did not fall unrevenged; for being a stout man he made a brave resistance, and though surrounded by the assassins, defended himself with a courage equal to his strength, so that several of the villains were found dead about him. Those who survived reported in the camp that Siccus had fallen unawares into an ambuscade, wherein he and some of his company had been killed. They were at first believed: but afterwards when a cohort, with the decemvir's permission, was detached to bury the slain, and found none of the bodies stripped, but saw Siccus lying in the middle in his armor, all their dead lying with their faces towards him, none of the enemy among them, nor any trace of their going off, they brought back his corpse, and affirmed, that he had certainly been killed by his own men. The whole camp was filled with rage, and agreed that Siccus should be immediately carried to Rome, had not the decemvirs hastened to bury him with military honors, at the public charge. The soldiers expressed great grief at his funeral, and openly threw out the bitterest reproaches against the decemvirs.

XLIV. I shall now relate the other act of villany, perpetrated in the city, occasioned by lust, and as foul in the event, as the rape and murder of Lucretia, which drove the Tarquins from the city and kingdom; that the end of the decemvirs might not only exactly resemble that of the kings, but that they might lose their authority by a like cause. Appius Claudius was seized with a violent passion for ravishing a plebeian virgin. Her father, L. Virginius, held an honourable rank in the army at Algidum, and bore a fair character both as a citizen of probity, and a valiant

soldier. His wife had been a woman of strict virtue, and their children were virtuously educated. He had betrothed this daughter to L. Icilius, who had formerly been tribune, a man of spirit, and one who had given proofs of his courage in asserting the rights of the people. Appius becoming passionately enamoured of this virgin, who was in the bloom of life, and very beautiful, attempted to debauch her by presents and fair promises. But perceiving that her modesty was too strong a bulwark against these arts, he resolved to have recourse to cruel and insolent force. Thinking the absence of her father a fit opportunity for executing this wicked project, he made M. Claudius, a client of his own, claim the maiden as his slave, with strict orders not to yield her to those who should demand that she might remain under surety in possession of her freedom, till the cause was decided. This minister of the decemvir's lust seized her as she was coming into the forum, where the schools were kept in a sort of booths, and calling her slave, affirmed she was the daughter of one of his bondwomen, and commanded her to follow him, threatening if she refused to drag her by force. The damsel was terrified and amazed, and on the outcries of her nurse, imploring help of the Romans, a multitude of people flocked round them. The names of her father Virginus and betrothed husband Icilius, both popular men, were heard on all sides. Regard to them brought their acquaintance to the place, and the shameful action engaged the mob to espouse the quarrel of the young woman. As this protected her from violence, Claudius, who claimed her, called out, "That there was no occasion for raising a mob; for he had no design to employ force, but to proceed against her in a legal manner." Upon which he summoned her to appear in court, and those present persuaded her to follow him. They came before the tribunal of Appius, where the plaintiff proceeded to tell the judge a story well known to him, having himself beforehand instructed him in the plan of the prosecution. Claudius said, "That the young woman had been born in his house, stolen from thence and carried to the house of Virginus, where she passed for the daughter of the latter. This he affirmed he would make appear by witness, and prove even before Virginus, as judge, who was the greatest sufferer by the injury. In the mean time it was just, that the maid should follow her master." The counsel for the young woman pleaded, "that seeing Virginus was abroad in the service of his country, and might, if he had information, be present within two days, it was unjust, in his absence, to raise any dispute, about his children;" and demanded, "that Appius

might bear the cause, till the arrival of Virginus. But according to the law made by himself, he should allow her to continue in possession of her freedom till a definitive sentence, and not suffer a virgin, arrived at maturity, to run the risk of losing her honour, before she lost her liberty."

XLV. Appius before he passed sentence said, "The very law, which the friends of Virginia had urged in support of their suit, was a proof of his regard to liberty. But it could only be a protection to liberty, if it was never applied to persons or causes for which it was not originally intended. For as to those who were slaves and claimed as free, the plea was good, because any man might seek redress by law. But as Virginia was in the hands of her father, there was no other person to whom her master was obliged to quit his possession. Therefore he decreed that her father should be sent for, and that the right of the claimant might not in the mean time be infringed, he should take the girl to his house, under promise to present her in court, when her reputed father should appear." As many silently grumbled at this unjust sentence, though none had the courage openly to declare against it, Numitorius, her uncle, and Icilius, to whom she had been betrothed, came into court. The crowd made way for them, imagining, especially after the coming of Icilius, they could stop the execution of the decree of Appius, but a lictor proclaimed, "that sentence was passed," and pushed back Icilius, who loudly complained of the injustice done him. As such injurious treatment would have provoked the mildest temper, he said "You must remove me, O Appius, by the sword, that you may quietly perpetrate the villany you strive to conceal. I am to marry this virgin, but to marry her chaste. Therefore call forthwith all your lictors, nay those belonging to your colleagues; command them to get ready their rods and axes; for the bride of Icilius shall not stay out of her father's house. No! Because you have deprived us of the protection of our tribunes, and the right of appeal to the Roman people, the two bulwarks which defended our liberty; shall therefore our wives and children fall victims to your lust? Scourge and behead us, but at least let chastity be protected. If any violence shall be offered to this virgin, I, in behalf of my bride, will implore the help of the Romans assembled here; Virginus will call for aid from his fellow soldiers in behalf of his only daughter; we will beg aid of every body, and implore both gods and men. You shall never put this sentence in execution till you have first slain me. I earnestly beseech you, Appius, to consider coolly the consequence of your proceedings. Virginus,



when he comes, will see what is properest to be done with regard to his daughter. Let him only be assured of this, if he yield to this villain's claim, he must find her another husband. As for me, who insist that my bride may continue in possession of her liberty, I will sooner lose my life, than forego the faith I have pledged her."

XLVI. The multitude were much incensed, and a battle seemed likely to ensue. The lictors surrounded Icilius, but proceeded no farther than to threaten him. Then Appius said, "That what Icilius did was not for the sake of defending Virginia; but being a turbulent man, and even then breathing the spirit of a tribune, sought an occasion to rise a sedition: but he would disappoint him for that day; and he might be assured, that not on account of his sauciness, but of Virginus's absence, and from a tender regard to the name of father, and to liberty, he would defer judgment and not interpose his decree that day. He would beg M. Claudius not to insist upon his right, but let the young woman continue in possession of her liberty till the next day. But if the father should not then appear, he now gave warning to Icilius and men of like complexion, that a decemvir would not be wanting in resolution, and a lawgiver would put his laws in execution: he would not call together his colleague's lictors to awe the authors of sedition, but would be content with his own." The time for perpetrating this villainy being thus delayed, and the young woman's advocates retired, the first resolution they took, was that Icilius's brother and Numitorius's son, two active young men, should go that instant to the gates, and make all possible haste to bring Virginus from the camp; for the young woman's safety depended upon his being present exactly at the appointed time, to defend her against her ravisher. They went as ordered, and having posted all the way, brought her father the sad news. In the mean time he who claimed the young woman pressed Icilius to give security, that he would present her in court. Icilius answered, that he was about it, designedly spinning out the time, till the messengers sent to the camp should be well advanced on their journey, and the whole crowd held up their hands, to shew that every one there was ready to become surety for Icilius. He with tears thanked them, saying, "To-morrow I shall use your help; but for the present I have sureties enough." Thus Virginia, upon her relations giving surety to present her, was set at liberty. Appius, to avoid suspicion that he sat in judgment solely on account of that particular cause, staid some time in his tribunal; but seeing, through concern for one girl, none applied to him, he returned to his house, and wrote to his colleagues in the

camp, not to give Virginius a furlough, nay, to put him under arrest." This wicked advice, as it deserved, came too late. For Virginius, having obtained a furlough, had set out by the first watch in the night, whereas the letters for detaining him were not delivered till next day in the morning.

XLVII. He was in Rome by day break, where the whole people were convened in the forum, eagerly expecting his coming. Virginius, clad in mourning, led his daughter in a thread-bare gown into the forum, attended by several matrons, and a great company of friends. He went round and solicited every man's favour, and not only implored their assistance, but even demanded it as a debt. He said, "He was daily ready in the field to fight for their children and wives; nor was there any man of whom could be recounted a greater number of brave and gallant exploits in war, than of himself. But what did it signify, if while the city was preserved, their children must suffer the same violences which are to be dreaded when a town is taken by assault?" He went round the assembly haranguing them in this manner. Icilius every where made use of the like arguments. But the silent tears of the women, who accompanied them, had more influence than any words that were uttered. In spite of all which, Appius, with an inflexible heart (his soul being rather distracted with an extravagant madness, than an amorous passion) ascended his tribunal. And while the plaintiff complained, "that sentence had not passed in his favour the day before out of complaisance to the people," before he could proceed to make his demand, or Virginius have an opportunity to answer, Appius interrupted him. As to the preamble with which he ushered in his decree, perhaps ancient authors have given the true one; but because I cannot find one that is probable, considering the shameful nature of the sentence, I think it best to set down only what is certain, the bare decree itself, "He adjudged her to be a slave." This injurious sentence, at first surprised and confounded all the bystanders. For some time all were silent. But when M. Claudius went to lay hold on the Virgin who was surrounded by the matrons, and they received him with doleful wailings, Virginius, shaking his hands in a threatening manner at Appius, said, "Decemvir, it was to Icilius and not to thee I betrothed my daughter; and educated her for lawful wedlock, not for prostitution. Do you delight, like the brutes and wild beasts, thus to gratify your brutal passion in common? Whether those who are here present will endure these things, I know not; but I hope those who are in arms will not bear with them." When the claimant was repulsed by the

circle of women and friends, who surrounded her, an herald proclaimed silence.

XLVIII. The decemvir, with his mind wholly bent upon gratifying his lust, said, "that he not only guessed from the invectives which Icilius had thrown out against him the day before, and the insolence of Virginus, whereof the Roman people had been witnesses, but had got certain information, that cabals had been formed in the city all night long in order to rise a sedition. That therefore, well apprized of the intended riot, he had brought soldiers along with him: not that he would hurt any quiet person, but that, by virtue of his office, he might awe those who disturbed the tranquillity of the state. Therefore they had better make no farther disturbance. Go, lictor, says he, put aside the crowd, and make way for the master to lay hold of his slave." Having all in a rage made this magisterial speech, the crowd of their own accord withdrew, and left the virgin standing alone a prey to her ravisher. Upon this Virginus, seeing no body gave any assistance, said, "I beseech you, in the first place, Appius, to impute it to a father's grief, if I have unguardedly thrown out any bitter invectives against you: in the next place, to give me leave to interrogate the nurse in presence of the virgin, concerning this matter; that if I am falsely called her father, I may go hence better satisfied in my mind." Leave being granted, he led his daughter and her nurse aside to the booths near the temple of Venus Cloacina, which are now called the new booths; and there snatching a knife from a butcher, said, "O daughter, by this only method in my power, I set thee free." With that he stabbed her through the heart, and, turning to the tribunal, called out, "By this blood, Appius, I devote thee and thy head to the infernal gods." The decemvir, alarmed by the clamour raised on this horrible deed, commanded Virginus to be seized: but he, wherever he came, opened himself a way with the knife, till, guarded by the crowd which followed, he reached the gates. Icilius and Numitorius took up the dead body, and exposed it to the view of the people, cursing the wickedness of Appius, and lamenting the fatal beauty of the young woman, and the cruel necessity her father was under of killing her. The matrons, following after, cried out, "was it for this that children were begot? Was this the reward of chastity?" And as the tenderness of women's hearts makes them more sensibly affected with grief, they said every thing which the excess of passion suggests to their minds on such doleful occasions. The men, but especially Icilius, exclaimed against the abolishing of the tribunician power,

taking away the appeal to the people, and the villainies publicly committed.

XLIX. The people rose in an uproar, partly on account of this horrid crime, and partly in hopes that it would furnish them with an opportunity of regaining their liberty. Sometimes Appius commanded Icilius to be cited, sometimes to be carried to prison for refusing to obey the summons. At last, seeing there was no way for the apparitors to come at him, he himself with a band of young patricians, went through the crowd, and commanded him to be carried to jail. By this time Icilius was surrounded not only by the people, but by their leaders, L. Valerius and M. Horatius, who thrusting away the lictor said, "If he had a legal action against Icilius, they would become surety to defend him against the decemvir who was but a private person; but if he dared to use force, he should likewise find them superior to him in that." Upon this a terrible tumult began. The decemvir's lictor fell upon Valerius and Horatius, and the mob broke his fasces. Then Appius went up to the rostra to harangue the people; Valerius and Horatius followed. The assembly heard their speech with attention, but drowned the decemvir's with their noise. Valerius took upon him to command the lictors to leave Appius, who was only a private person. In the mean time Appius losing all courage, and apprehensive for his own life, covering his head, stole, without the knowledge of his enemies, out of the forum, and hid himself in an adjoining house. Sp. Oppius, from the opposite side, rushed into the forum to succour his colleague, and saw his authority borne down by force. After much deliberation, and many on all hands advising him to comply, he, in great consternation, at last commanded the senate to be assembled. This appeased the multitude, seeing, as many of the patricians seemed displeased with the proceedings of the decemvirs, there was hope that the senate would put an end to their authority. The senators were of opinion, that the people ought not to be exasperated; and that care should be taken, that Virginius's arrival in the camp did not raise commotions there.

L. Some young patricians were, therefore, sent to the camp, which was then upon the hill Vecilius, to desire the decemvirs, "by all means to prevent the soldiers mutinying." But Virginius raised a greater commotion there than he had left in the city. For besides that his being attended with a troop of four hundred men, who, enraged at the shocking deed, had accompanied him on his journey, made him remarkable; his carrying the naked knife in his hand, and being himself all bespattered with blood,

drew the eyes of the whole camp upon him. The gowns, which were seen in many different places of the camp, made the number of citizens appear greater than really it was. When they asked him what the matter was, he remained long in tears without uttering a word: at length, when great numbers in consternation crowded round him, and there was a profound silence, he recounted in order every thing that had happened. Then lifting his hands to heaven, he besought his fellow-soldiers, "Not to impute to him, what was solely Appius's crime, nor to look upon him as a parricide and the murderer of his child. The life of his daughter had been dearer to him than his own, if she could have enjoyed it free and chaste; but when he saw her ready to be dragged, as a slave, to be debauched, he thought it better that his child should be deprived of life, than of her honour. Tenderness for her made him seem cruel. Nor would he have survived his daughter, had not he entertained hopes, that his fellow-soldiers would assist him in revenging her death. They also had daughters, sisters, and wives; nor had Appius's brutal lust expired with his daughter, and the longer he escaped punishment, he would be the more unbridled in his debaucheries. His misfortune ought to be a warning to, and keep them on their guard, lest the like injury should be done to themselves. As to his own concern in the matter, he had lost his wife by a natural death, and his daughter, because she could no longer live chaste, had made a lamentable but honourable exit. There now remained nobody in his family on whom Appius could satiate his lust: from his other violences he would free his own body, with the same courage as he had delivered his daughter's. The rest might look to themselves and to their children." Having pronounced this speech audibly, the army with one voice assured him, that they would both avenge the cause of his grief, and defend their own liberty. The citizens likewise, mixing in the crowd of soldiers, made the same complaints, representing how much more shocking these things could be when seen acted, than they could possibly appear in the relation. At the same time they told them, that the interest of the decemvirs was already utterly ruined at Rome, and those who had come since their arrival brought accounts, that Appius, after having been almost killed, had fled into banishment. These things prevailed with the soldiers to give the alarm, they plucked up their eagles, and marched to Rome. The decemvirs, much perplexed at what they had seen, and what they heard had been transacted at Rome, ran through all the camp, to appease the mutiny: while they used gentle means, no one regarded them;

but when any of them offered to exercise their authority, he was told, "That they were men, nay soldiers in arms." Thus they marched in battalia to Rome, and encamped on mount Aventine, exhorting every one of the people they met, to attempt the recovery of their liberty, and to elect tribunes of the people. Not a violent word else was heard. Sp. Oppius assembled the senate, and they determined to act with moderation, seeing they themselves had given occasion to the sedition. Three deputies of consular rank, Sp. Tarpeius, G. Julius and P. Sulpicius were sent to demand in the name of the senate, "By whose command they had left their camp? or what they intended by encamping in an hostile manner upon mount Aventine, and by turning their arms from their enemies, employ them against their native country?" The answer was easy; but they wanted a person to give it; for they had no certain leader, and no private man dared to take that hateful office on himself. The whole crowd therefore immediately cried out with one voice, "Let L. Valerius and M. Horatius be sent to us: we will give our answer to them."

LI. When the deputies were dismissed, Virginus represented to the soldiers, "The confusion they had been in, in an affair of the greatest consequence, for want of a head. Though their answer was to the purpose, yet it was by chance, and not the result of public deliberation. It would therefore be proper to create ten men, distinguished by the martial title of military tribunes, whom they should invest with the chief command." When this honourable office was first offered to himself, he said, "Reserve these your kind intentions to me, against more favourable times for us both. My daughter's death yet unrevenged, will not suffer me to enjoy any honour with pleasure; and while the republic's affairs are so embarrassed, it is improper that you should be commanded by one most obnoxious to envy. My being a private person will not preclude me from doing you all the service in my power." Thus they chose ten military tribunes. Nor was the army in the country of the Sabines quiet; it, likewise, at the instigation of Icilius and Numitorius, deserted the decemvirs. For the murder of Siccius coming fresh into their remembrance, provoked them no less than the late account of the base attempt to ravish Virginia. As soon as Icilius heard that military tribunes were created on the Aventine hill, fearing lest the comitia in the city would follow the precedent of the comitia in the camp, and elect the same men tribunes, besides being a man well skilled in popular affairs, and aspiring to that power himself, took care that the army he was in, before they marched to the city, should create an equal number of military tribunes with the same autho-

city. They entered Rome with colours flying, by the gate Collina, and marched through the middle of the city to the Aventine hill. There they joined the other army, and the twenty military tribunes were empowered to chuse two of their number, who should have the supreme authority. They chose M. Oppius and Sex. Manilius. The senators anxious for the public welfare, met every day; yet spent their time more in wrangling, than in forming any advantageous resolution. The decemvirs were upbraided with the murder of Siccius, the dissolute life of Appius, and the ignominy they had suffered in the war. At last they resolved, to send Valerius and Horatius to mount Aventine. But these two patricians refused to go, till the decemvirs should divest themselves of the ensigns of their magistracy, which had actually expired a year before. The decemvirs complained of being reduced to the condition of private persons, protesting they would not abdicate their authority, till the laws, foreenacting which they had been created, had the last hand put to them.

LII. The army informed by M. Duilius, who had formerly been tribune, that no progress was made in the business by reason of these daily disputes, marched from the Aventine over to the sacred mountain; the same Duilius affirming, that the patricians would never give themselves any concern about what passed, till they saw the people leaving the city. "The sacred mountain, said he, would put them in mind of the constancy of the people. They would then be made sensible of the impossibility of bringing about a reconciliation, till the tribunician power was restored to them." Marching, therefore, by the Nomantine way, then called Ficulniensis, they encamped on the sacred mountain, imitating the moderation of their fore-fathers by offering no sort of violence. The people accompanied the army, none staying behind, whose age would permit them to go. Their wives and children followed, asking in a mournful tone, "For what purpose should they be left behind in the city, where neither honour nor liberty could be safe?" Rome was thus in a manner become a vast desert, and there was nobody to be seen in the forum, excepting a few old men. When the fathers, convened in senate, saw the forum empty, others besides Valerius and Horatius warmly remonstrated to this effect, "What wait you for, conscript fathers? If the decemvirs persist in their obstinacy, will you suffer every thing to go to wreck and ruin? What is that sovereignty, decemvirs, which you so tenaciously maintain? Are you to administer justice to empty houses and bare walls? Are you not ashamed, that the number of your lictors in the forum are nearly equal to

that of other citizens in their gowns? What would you do, if our enemies should come and attack the city? What? if our own people at this instant, when we little regard their secession, should advance against us sword in hand? Is it your intention to end your magistracy with the total destruction of the city? The truth is, we must either have no people, or we must have tribunes of the people. We will sooner want our patrician magistrates, than they their plebeian. When this power was new, and before they had experienced the benefit of it, they extorted it from our fathers, and will not now part with it, when they have tasted its sweets; especially seeing we are not so moderate in the exercise of our power, but that they stand in need of relief." These reasons being strongly urged on all sides, the decemvirs, yielding to the general opinion, declared, "they would, since it was the pleasure of that venerable body, entirely submit themselves to the senators;" but begged them, "to protect them from public resentment, and not to give the commons a precedent of punishing patricians, by suffering them to shed their blood."

LIII. Upon this Valerius and Horatius were sent to reconcile matters, and bring back the people on what terms they thought best; and were likewise commanded to take all proper measures for protecting the decemvirs, against the resentment and fury of the populace. They went and were received into the camp with great demonstration of joy by the people; being undoubtedly their deliverers both in the beginning and progress of the commotion. For all which they had thanks returned them on their arrival. Icilius was spokesman for the people. When they came to treat about the terms, and the deputies enquired what the demands of the people were, the same Icilius, every thing having been concerted and settled in council before their coming, made such demands, as plainly shewed, the people trusted more to the reasonableness of their terms, than to force of arms. For they only demanded, "the re-establishment of the tribunician power, and of the right of appeal, which, before the creation of decemvirs, had been the protection of the people; and that every man should be indemnified, for having stirred up the soldiers or people to make a secession, in order to recover their liberty." Only their demand of punishing the decemvirs savoured much of cruelty; for they insisted, "that they should be delivered up to them," and they threatened, "to burn them alive." To these the deputies replied. "The demands you have made, after mature deliberation, are so reasonable, that we would of our own accord have offered them. For they tend only to the defence of your liberty, not to autho-



size licentiousness to the injury of others. As to your resentment against the decemvirs, we must rather pardon than indulge it. For, from a detestation of cruelty, you rush headlong into it; and almost before you are free yourselves, would tyrannize over your adversaries. Shall our state never be at rest from punishments, which either the patricians inflict upon the Roman people, or they upon the patricians? You need a shield more than a sword! He is brought low enough, who lives on a level with others, in the same state, without having it in his power to injure others, or being exposed to injuries himself. If at any time you mean to make yourselves dreaded, it must be after you have recovered your magistrates and your laws, when the power will be in your own hands, and our lives and fortunes at your disposal. Then will be the proper time for you to determine every one's fate. For the present be satisfied with the recovery of your liberty."

LIV. The whole people having given the deputies power to act as they pleased, they declared they would speedily return with the terms fully ratified. When on their arrival they laid the demands of the people before the senators, the other decemvirs, finding, contrary to expectation, no mention made of punishing them, agreed to every thing: only Appius, a man of a cruel disposition, and the most odious among them, measuring the hatred of others to him, by his own to them, said, "I am not ignorant what fate awaits me. I see the contest, about us, is only postponed, till arms are put into the hands of our adversaries. Our blood must be the victim to their hatred. However, for my own part, I shall not hesitate, but will instantly abdicate the decemvirate." Upon this the senate passed a decree, "that the decemvirs should immediately resign their office; that Q. Furius, the pontifex maximus, should create tribunes of the people; and that all should be indemnified for the secession of the soldiers and people." These decrees being finished, and the senate broke up, the decemvirs went up to the rostra, and to the great joy of all men, divested themselves of their office. Information of what had passed was sent to the people; and all who had continued in the city, followed the deputies. Another crowd of overjoyed persons from the camp met this by the way, congratulating each other on the re-establishment of liberty and harmony in the state. Then the deputies in public assembly, "begged them to return to their native country, to their household gods, to their wives and children; which they prayed might prove beneficial, fortunate, and auspicious to themselves and to the republic. But take care, said they, to carry back with you to the city, that same moderation, which,

in your march hither, restrained you from spoiling the lands of any one, even when your numbers had reduced you to the want of all kinds of necessaries. Go to mount Aventine, from whence you came ; in that auspicious place, where first you laid the foundations of your liberty, you shall create your tribunes. The pontifex maximus will attend you there to hold the comitia." All signified their approbation with great unanimity and alacrity. They moved their ensigns and marched for Rome, rivalling those they met in their shouts of joy ; and went peaceably through the city to the Aventine hill in arms, where the pontifex maximus holding the comitia, they chose for tribunes of the people, first of all A. Virginius, then L. Icilius, and P. Numitorius, Virginia's uncle, the chief promoters of the secession : next, it is said, were chosen C. Sicinius, son of him who had been created first tribune of the people in the sacred mount, and M. Duilius, who had signaled himself in the tribuneship before the creation of decemvirs, and had greatly assisted the people in their contests with them : last of all M. Titinius, M. Pomponius, C. Apronius, P. Vilius, and C. Oppius, were elected, more in expectation of future than for past-services. In the beginning of this tribunate, Icilius brought in a bill to the people, which they passed into a law, " that none should be molested on account of the secession made from the decemvirs." Immediately M. Duilius made a motion for creating consuls with a right of appeal from their decisions. All these things were transacted in an assembly of the people in the Flaminian meadows, now called the Flaminian circus.

LV. Then were L. Valerius, and M. Horatius created consuls by the interrex, and immediately entered upon their office. This popular consulate of these magistrates did no injury, yet gave great offence to the patricians ; for whatever precautions were taken to secure the liberty of the people, the senators deemed an abridgment of their own. First of all, it being a question in law, whether the patricians were bound by the acts of the commons, they passed a law in the comitia by centuries, " that whatever should be enacted by the suffrages of the people assembled in tribes (*a*) should be binding on all the members of the state." This gave the tribunes a great advantage in bringing in their bills. Further, they not only revived the other consular law concerning the right of appeal, the chief fence of liberty, which had been overthrown by the decemviral authority, but likewise strengthened it for the time to come by adding a new law, " that no man should create any magistrate from whom there could be no appeal. It should be lawful and justifiable to kill whoever did so ;

and the killing him should not be deemed a capital crime." And when they had sufficiently secured the people by the right of appeal on the one hand, and the protection of the tribunes on the other, that the persons of the tribunes might be revered as sacred and inviolable, they with that view revived some ancient religious usages, which had been almost forgotten. And as their persons were inviolable by the ties of religion, they also made an express law for the purpose, "that whoever should injure the tribunes of the people, ædiles, judges, or decemvirs, his head should be devoted to Jupiter, and his family sold at the temple of Ceres, Liber and Libera." Commentators say, that this law makes no person sacred; but only that he who does them manifest injury is devoted to destruction: therefore an ædile may be arrested and imprisoned by superior magistrates; which though not expressly warranted by law (for it is injuring one who by this law is not to be injured) yet is an argument, that an ædile is not to be considered an inviolable person. They likewise say, the tribunes were declared sacred persons by an ancient oath of the people, at the first institution of their power. Some interpreters assert, that the consuls, and likewise the prætors, because they are chosen under the same auspices with the consuls, have the benefit of this Horatian law; for they call a consul a judge. But the custom at that time of calling not the consuls, but the prætors, judges, refutes this interpretation. These were the laws made by the then consuls. They likewise ordained, that the decrees of the senate, which, before were suppressed, or altered, at the pleasure of the consuls, should be brought into the temple of Ceres to the ædiles (*b*) of the people. After that the tribune Duilius, brought in a bill to the people, which they passed into a law, "that whoever should deprive them of their tribunes, or create a magistrate without appeal, should be scourged and beheaded. All these acts passed though against the will, yet without any opposition from the patricians, because none amongst them were hitherto personally injured.

LVI. The tribunician power and liberties of the people being thus established upon a firm basis, the tribunes thought it both safe and a proper time to attack the decemvirs one by one, and selected Virginius to be the first plaintiff, and Appius to be the first defendant. When Virginius had appointed Appius a day to take his trial, and the latter came down into the forum surrounded by a band of young patricians, the sight of him and his guards immediately revived the remembrance of his detestable tyranny. Then Virginius spoke thus, "Long haraugues were invented for

intricate cases ; I will, therefore, neither take up your time in impeaching, before you, him from whose cruelty you have delivered yourselves by arms; nor will I suffer him to add to his other crimes, by an impudent defence of himself. Therefore, Appius, I pass over all the wicked and impious actions which you have dared to commit, one on the back of another, for the space of two years, and confine my accusation only to one point; that you contrary to law did not allow a free person; who was claimed as a slave, to remain in possession of her liberty till a definitive sentence, and for this I command you to be led to prison." Though Appius had no hopes of protection from the tribunes, or of favour from the people in the trial, yet he appealed to the tribunes for their intercession in his behalf; and when none interposed, as the officer was dragging him away, he cried out "I appeal to the people." Those sacred words, the fence of liberty, heard from his mouth, who had lately pronounced sentence in direct opposition to that very liberty, occasioned a profound silence. Every one muttered to himself, "that there were gods, and gods who did not neglect human affairs; pride and cruelty, though late, were yet severely punished; he, who had abolished the right of appeal to the people, had yet appealed; he, who had trampled on all the rights of the people, implored their help; he, who had sentenced a free person to slavery; was dragged to prison, without the benefit of that freedom he had denied to others." Amidst the murmurs of the assembly, the voice of Appius was heard, imploring the protection of the Roman people. He enumerated the services his ancestors had done both in peace and war; and mentioned, "his own unhappy zeal for the interest of the Roman people when he abdicated the consulship, to the great offence of the patricians, for the sake of procuring laws equally for the benefit of all ranks: likewise the laws of his own instituting, which were still in force, though the legislator was leading to prison. As to his good and bad actions, he was willing to stand trial when he should have leave to make a legal defence. At present, as a Roman citizen he demanded, by the common right of citizenship, to be allowed to make his defence, and to have the judgment of the Roman people. For he was not so much afraid of their malice, as to have no hopes in the equity and mercy of his fellow citizens. If he was led to jail without being allowed to make his defence, he would again appeal to the tribunes, and mind them to beware of treading in the footsteps of those they hated. If the tribunes confessed themselves to have entered into the same combination for abolishing the right of appeal, against which they

had accused the decemvirs of having conspired ; he would appeal to the people, and implore the benefit of the laws of appeal, the consular and tribunician laws, which had been made that year. For who needed appeal, if he, who had not been condemned nor pleaded in his own defence, had no benefit by it ? What plebeian, what man of low rank, will find protection in the laws, if Appius Claudius finds none ? In his case would be proved, whether tyranny or liberty was established by the new laws ; and whether the right of appeal and intercession against the oppressions of magistrates, was only an empty scrawl, or really granted."

LVII. Virginius replied, that Appius was the only person, who could enjoy no benefit from the laws, or from any civil and human compact. " Cast your eyes back to his tribunal, the fortress of all crimes ; where this perpetual decemvir, preying upon the goods, persons, and lives of citizens, threatened all with scourging and death ; where this contemner of gods and men, surrounded by bloody executioners, rather than lictors, turned his mind from rapine and murder to lust, and before the eyes of the Roman people, gave in a present, to his client the minister of his lust, a freeborn virgin, after tearing her from the close embraces of her father, as if she had been a captive in war : where by his cruel decree, and wicked sentence, he armed the unhappy father's right hand against the daughter : where he commanded her bridegroom, and uncle, who took up the body of the expiring virgin, to be led to prison ; and was enraged rather at being disappointed of gratifying his lust, than moved with concern for the murder : that he had built a prison, which he used to call, *a habitation for the Roman people*. He might again and again appeal, but he would as often bring him before a judge, to be tried, whether he had not unjustly condemned a freeborn person to slavery ; if he did not plead he would command him to be put in prison as a condemned criminal." Nobody disapproving of what Virginius said, Appius was thrown into jail, while most were vexed to the heart, and even the people themselves thought their liberty too excessive in punishing so great a man. The tribune adjourned the day of trial. In the mean time deputies arrived from the Latines and Hernici, to congratulate Rome, on the reconciliation between the patricians and plebeians, and on that account brought into the capitol a present to Jupiter the good and great, of a crown of gold. It was not of great weight, as these states were not very rich ; but the intention of the donors was more regarded than the magnificence of the present. They likewise informed the Romans, that the Æqui and Volsci were making mighty preparations

for war. Whereupon the consuls were commanded to share the provinces between them. The lot of Horatius was to march against the Sabines, and that of Valerius against the Æqui and Volsci. When they issued their edict for levying armies for these wars, from the love the people bore these favourite consuls, not only the young men, but those who had served the legal time, were ready to give in their names, and the most of them as volunteers; by which means the army was not only increased in numbers, but strengthened in quality by the mixture of these veterans among the raw soldiers. Before they left the city, they hung up in the forum the decemviral laws, which go by the name of the twelve tables, engraved in brass. Some historians say, that the ædiles, by the command of the tribunes, performed that office.

LVIII. C. Claudius, who, not able to bear the wickedness of the decemvirs, but above all abhorring the pride of his nephew, had withdrawn to Regillum, his ancient native country, being now an old man, returned to solicit his deliverance from danger whose vices he had fled from, and in a sordid dress went about attended by his kinsmen and clients, soliciting the favour of every one he met. He conjured them, "not to stamp so indelible a mark of infamy upon the Claudian family, as to cause them to be considered as meriting bonds and imprisonment. Not to suffer a man, whose image would make an honourable figure in after ages, the maker of laws, and establisher of the Roman rights, to lye in irons among house-breakers and thieves. That they would a while suspend their resentment, and seriously enquire into and ponder the case: and rather at the earnest entreaties of so many Claudii, pardon one of that family, than despise the supplications of so many through their hatred to one. It was on the score of kindred and name, not that he was reconciled to the person, whose misfortunes he desired to relieve, that he made this application to them. By their courage they had recovered liberty, but it was clemency alone which could re-establish concord between the several orders of the state." Some were moved rather by his affection to his kinsman, than out of regard to him for whom he pleaded. But Virginus on the other hand besought them "rather to have compassion for him and his daughter. Not to hearken more to the solicitations of the Claudian family, which had tyrannized over them, than to the prayers of Virginia's friends and of three tribunes, who implored help and assistance from these very people, for whose defence they had been created." The tears of the last seemed most reasonable. So that Appius, having lost all hopes of favour, killed himself before the day of trial. Then

was Sp. Oppius, the most odious decemvir next to Appius, prosecuted by P. Numitorius, because he had been in the city, when his colleague passed the unjust sentence of slavery against Virginia. But an injury he himself had done drew more hatred upon him, than his not obstructing the infamous decree of Appius. A witness was produced, who had served twenty-seven years in the army, and had been eight times honoured with extraordinary military rewards. Carrying these gifts in his hand he rent his robe in sight of the people, and shewed his back torn with rods; offering "if Oppius could lay any real crime to his charge, to give him leave, now he was a private person, to exercise his cruelty on him a second time." Oppius was likewise led to prison, and before the day of his trial put an end to his life with his own hand. The tribunes confiscated the effects of Appius and Oppius, and applied them to the service of the public. Their colleagues only escaped by going into banishment, and their effects were also confiscated, and put to the same use. M. Claudius, who had claimed Virginia as his slave, was condemned to death on the day of his trial. But Virginus remitted the severest part of the punishment, and being set at liberty, he went in banishment to Tibur. And thus at length the ghost of Virginia, happier in death, than fortunate in life, having wandered over so many houses seeking revenge, when none of the guilty persons remained, was appeased.

LIX. The senators, seeing the tribunes as absolute as ever the decemvirs had been, were under terrible apprehensions, when M. Duilius, tribune of the people, seasonably restrained this excessive power within due bounds. He said, "we have already sufficiently established our liberty and avenged ourselves on our enemies. Therefore during the remainder of this year, I will neither suffer any man to be prosecuted or imprisoned. For I order, that old crimes, already forgot, be not revived, seeing the new are expiated by the punishment of the decemvirs; and the constant care of both your consuls, in protecting your liberty, is a sufficient security that nothing will hereafter be allowed, that can require the assistance of the tribunes." This moderation of the tribune in the first place dispelled the fears of the senators, but on the other hand increased their dislike of the consuls, because they had been wholly devoted to the people; and because a plebeian magistrate had shewn more regard for the safety and liberty of the senators than a patrician: and it appeared that their enemies had been glutted with revenge, before the consuls shewed any intention of restraining their licentiousness. Many senators blamed themselves for too easily complying in ratifying those laws which had been

proposed by the consuls ; and there is no doubt but it was the distracted state of the republic which had obliged them to temporize.

LX. The consuls, having settled matters in the city, and firmly established the condition of the people, went each into his own province. Valerius by policy maintained the war against the armies of the Æqui and Volsci, which had now joined at Algidum. Had he immediately risked a battle, I know not (considering how the courage of the Romans and their enemies stood affected by reason of the decemvirs' ill conduct) whether he would not have fought at a great disadvantage. He kept his soldiers close within their lines, which he had formed about mile from the enemy, who ranged themselves in order of battle in the vacant space between the two camps. The Romans returned no answer to their bravadoes. At length the Æqui and Volsci, wearied with standing, and in vain expecting battle, and thinking the victory fairly yielded to them, went part into the country of the Hernici, and part into the Latine territories, to ravage them, leaving behind rather a sufficient guard to defend their camp, than a force able to cope with their enemy in a set battle. When the consul perceived this, he in his turn put them in fear, and drawing out his men in battalia bid them a defiance. But conscious of the inequality of their troops, they avoided coming to a battle, which immediately animated the Romans extremely, and made them deem their enemies, who were in great consternation within their camp, as a sure prey. The Romans stood all day under arms, but retired, at night, full of hope, and refreshed themselves. But the enemy were far from being in equal spirits, and sent out expresses every where to recal their troops, which were marauding. Those who were in the adjacent parts returned, but those at great distance were not found. At break of day the Roman army marched out of their camp, in order to attack the enemy's intrenchments, in case they should not come out to fight. But when the greatest part of the day was spent without any motion by the enemy, the consul gave the signal for the attack. Upon this motion of his troops, the Æqui and Volsci were enraged, to think that their victorious army should be defended rather by a rampart than by valour. With great importunity, therefore they obtained the signal of battle, from their generals. When part of them were already marched out at their camp gates, and others followed in great order, each man in his rank, the Roman consul advanced against them before they could be supported by the whole of their troops. Charging them before they were all come out, or those who were could be regularly formed, but like a mob wavering to and fro,



and looking about themselves, and on their fellow-soldiers, he, to add to their fear, begun the attack with a great shout. At first they gave ground, but recovering their spirits, and their generals every where upbraiding them with yielding to those they had before conquered, they rallied and renewed the fight.

LXI. On the other hand the consul bid his men remember, "That this was the day they had first occasion to fight as free-men and for a free state: they were to get victory for themselves, and not to fall a prey to decemvirs after they had conquered. They fought not now under the conduct of Appius, but of the consul Valerius, who was descended of deliverers of the Roman people, and was himself their deliverer. They ought to shew, that it was owing to the generals, not to the soldiers, that they had not conquered before. It were shameful for them to have shewn more courage against their fellow-citizens, than now against enemies, and to have been more apprehensive of slavery at home, than from foreigners. As for Virginia she was but one, whose chastity had been in danger in time of peace, and that the lust of Appius alone was dangerous to her; but if the fortune of war should be against them, all their children would be in danger from so many thousand enemies. He would not forebode what he hoped Jupiter and their father Mars would not suffer to befall a city, founded on so lucky auspices. He put them in mind of the Aventine and sacred hills, that as there they had a few months before gained their liberty, thither they ought to carry back their power unsullied. They ought to give proof, that the Roman soldiers were as brave after the expulsion of the decemvirs, as they had been before they were created; and that the Roman valour was not diminished by laws, which established equality in the state." Having thus harangued the foot in midst of their ensigns, he flies to the horse: "Come on, my lads, excel the foot by your prowess, as you exceed them in honour and rank. The foot at the first onset made the enemy give ground, and now they are pushed do you give the reins to your horses and drive them out of the field. They will not be able to stand your charge; they now rather hover, than fight." Upon this they put spurs to their horses, and drove against the enemy, already disordered by the charge of the foot; and having broke through their ranks, penetrated to the farthest line. Some of them taking a compass in the open space, blocked up the way to the enemy's camp, who were flying on all sides, and outriding them frightened them from coming that way. The battalions of foot with the consul himself, and the whole heat of the battle turned upon the camp, which was taken

with great slaughter, but greater booty. The news of this battle was carried not only to the city, but to the other camp in Sabinia. It was solemnized with great rejoicings only in the city, but in the camp animated the soldiers with an ambition of rivalling so glorious an action. Now Horatius, by exercising his men in making excursions, and trying their courage in slight skirmishes, had accustomed them rather to confide in their own bravery, than remember the affront they had received under the conduct of the decemvirs; and these little encounters had made them confident of victory, whenever they should come to a decisive action. Nor did the Sabines, flushed with their success the preceding year, cease to provoke and urge the Romans, asking them with scorn, "why they wasted their time in frequently sallying in small parties like robbers, and as often returning, and thus by many light skirmishes lengthen a war which might be determined at one blow? Why would they not come to a general battle, and at once try which side fortune would favour?"

LXII. Besides that the Romans had of themselves sufficiently recovered their courage, they were likewise fired with indignation. The other army, already victorious, but on the point of returning to the city, whilst the enemy was insulting them by their reproaches. Besides, when would they be a match for their enemies, if they were not then? When the consul perceived these murmurings of his soldiers in the camp, he assembled them and addressed them thus. "I suppose, soldiers, you have heard of the battle at Algidum; the army there behaved, as that of a free people ought; and the victory obtained by the wise conduct of my colleague, and the valour of my troops. As for my part I will follow such advice and take such resolutions as you shall suggest to me. That the war may both be driven into length with advantage, and speedily terminated. If it must be protracted, I will observe the same method, I laid down at first, for daily increasing your hopes and valour. If you have already courage enough and are resolved to fight, set up such a shout, as you would do if you were going on to an attack, as a mark of your inclination and bravery." When, with great cheerfulness, the soldiers set up a terrible shout, he assured them, "That he would comply with their inclination, and lead them to battle next day, which he prayed might prove auspicious." The rest of the day was spent in preparing their arms. Next morning, as soon as the Sabines, who were as desirous of coming to an engagement, perceived the Romans drawn up in order of battle, they marched out likewise. The fight was such as might be expected from two armies con-

sident of victory, the one animated with the remembrance of their ancient and perpetual glory, and the other flushed with the victory they had lately gained. The Sabines helped their force by a stratagem; for when they drew up in battle array, they kept a reserve of two thousand men without their ranks, which were to fall on the left wing of the enemy in the heat of action. This reserved body, making a furious attack in flank, almost surrounded the left wing. But two squadrons of Roman cavalry, almost to the number of six hundred men, dismounted, flew to the front of those who were giving ground, and made head against the enemy: at first they shared the danger equally with the infantry, and afterwards animated them to fight through a sense of shame. They blushed to see the horse do both their own and others duty in the battle, and themselves be outdone by the cavalry even when they had dismounted and fought on foot.

LXIII. Upon that they rallied, returned to the post they had abandoned, and in an instant the battle was not only renewed, but the opposite wing of the Sabines gave way. The horse, covered by the foot, remounted, and flying with the utmost speed to the other wing of the army, informed them of the victory. At the same time they charged the enemy, who were in great consternation at the rout of the main strength of their army. None signaled their bravery more in the action. The consul was very active, and carefully looked to every thing: he commended the brave, and reprimanded those who fought but faintly. Immediately those whom he reprov'd exerted themselves like brave men. For a sense of shame had the same influence on them, that commendations had on others. A fresh shout was raised, and attacking on all sides in close battalia, they put the enemy to flight, who were no longer able to stand the violent shock of the Romans. The Sabines, being routed, and dispersed through the fields, left their camp a prey to the enemy. There the Romans found not only the spoils, which had been taken from their allies, as in the camp at Algidum, but also recovered the booty, which had been carried away in ravaging their own lands. For these two victories, gained in two different battles, the senate out of jealousy decreed only a supplication and thanksgiving for one day in name of the consuls. The people, however, by their own authority, went in crowds to offer their supplications the next day, and even this unauthorized and popular one was celebrated with the greatest solemnity. The consuls by concert came to Rome, one on the first the other on the second of these two days, and assembled the senate in the Campus Martius, where, after a

recital of their exploits, the principal senators complained, that their meeting was held in the camp with a design to intimidate them. From thence the consuls, to avoid reflections, adjourned it to the Flaminian meadows, where now stands a temple of Apollo, but which were then called Circus Apollinaris. Here the senators almost unanimously refused them a triumph; upon which L. Icilius, the tribune, brought it before the people. Many senators went out to oppose it, but C. Claudius in particular exclaimed against it in these words. "The consuls intended to triumph over the senators, not over enemies, and sought an acknowledgement for some private service done to the tribune, not an honourable reward of their valour. A triumph had never before been submitted to the judgment of the people. 'The merit and decreeing of it had always been the prerogative of the senate. Their very kings had never abridged the privileges of that high order. Let not then the tribunes engross all power to themselves, so far as to exclude a council of state. For the state could be no longer free, nor laws equal, than each rank of persons therein confined themselves to their own rights, and maintained their own authority.'" Several other of the old patricians spoke many things to the same purpose; but the tribes unanimously agreed to the motion. This was the first triumph by authority of the people, without a decree of the senate.

LXIV. The gaining of this grand point, by the tribunes and people, had almost occasioned a licentiousness attended with dangerous consequences. For the tribunes formed a design of having themselves re-chosen for the next year; and the better to conceal their ambitious views, proposed to continue the same consuls in office. To support this scheme, they urged the thorough agreement of the senators, by which, in despite to the consuls, the rights of the people would be destroyed. "For what would be the consequence, if the consuls, while the laws were not yet firmly established, should, by their factions, make attempts on the new tribunes. Such public spirited men as the Valerii and Horatii, who preferred the liberty of the people to their own interest, would not always be consuls." It happened very luckily at that juncture, that the lot fell on M. Duilius, a prudent man, to preside at the comitia. He, foreseeing the great offence that would attend continuing the same magistrates in office, declared, that he would have no regard to the vote of any person in favour of the old tribunes. His colleagues opposed this, saying, the people ought either to be left at liberty in giving their votes, or he give up his place to some of his colleagues, who would preside at

the comitia in a manner agreeable to law, rather than the pleasure of the senators. Duilius sent for the consuls to their tribunal, and asked them, what they intended to do in the comitia for election of consuls. They answered, that they would create new ones. Finding these men, who had always favoured popular schemes, no abettors of this, he went out with them into the assembly, and producing them before the people put this question to them, whether, in case the Roman people, out of gratitude for recovering liberty to them at home, and for their services in war and other worthy acts, should re-elect them consuls, they would accept of the office? They answered as before. Duilius, praising the consuls for their steadiness, in not imitating the decemvirs, held the comitia; and after five tribunes were chosen, plainly perceiving, that the canvassing of the nine old ones hindered the other candidates from having a majority in the tribes, he dismissed the assembly; nor did he again assemble the comitia. He said the law was fulfilled, for it no where determined the precise number, provided room was left for chusing more; and gave authority to those already elected to chuse themselves colleagues. Then he read a copy of the act, which ran thus. "If, when a bill is brought in for the election of ten tribunes, less than that number shall be chosen on the day of election; then those who are elected shall chuse themselves colleagues, and whom they shall so chuse, shall be deemed legal tribunes of the people, as well as those who were appointed on the day of election." Thus Duilius continuing steady to the last, and insisting that the republic could not have fifteen tribunes, disappointed the ambitious views of his colleagues, and laid down his office, equally dear to both patricians and people.

LXV. The new tribunes had great regard to the recommendations of the senators in the choice of their colleagues; and even pitched on two patricians of consular dignity, Sp. Tarpeius, and A. Æternius. Lar. Herminius, and T. Virginius Cœlimontanus were chosen consuls. As they were not much biassed in favour of either patricians or plebeians, there was great tranquillity both at home and abroad during their administration. L. Trebonius, tribune of the people, exasperated against the senators, because he said he had been trepanned by them in the choice of tribunes, and betrayed by his colleagues, proposed the following law, "That whenever tribunes of the people are to be chosen, let him who presides continue the comitia, till ten are chosen;" and passed his whole tribunate in harassing the patricians, whence he got the surname of *Asper* (*a*). After that M. Geganius Macerinus, and C. Julius were made consuls. They quelled the cabals of the tribunes

formed against the young patricians, without inveighing against their power, or condescending to any thing below the dignity of the patricians. They restrained the people from seditions, by decreeing levies for the support of the war with the *Æqui* and *Volsci*, without completing them. They assured them that living in peace at home would secure quiet abroad, and that intestine broils gave spirits to foreign nations. Thus their care to secure peace abroad contributed much to maintain domestic tranquillity. But the one order always took advantage of the moderation of the other. The people were very quiet when the young patricians began to harass them. When the tribunes attempted to succour the weakest, they had little success at first. But at last they themselves did not escape without injury, especially in the last months of their office; the nobility exercising their oppressions by their cabals, and the power of all magistracies being but faintly executed towards the end of the year. And now all the people's hopes centred in chusing tribunes like *Icilius*; for during the two last years they had had only nominal ones. On the other hand the old patricians, as they were sensible that their youth were too licentious, so they were better pleased, since some party must exceed due bounds, to see this extravagance in their own order, than in that of their enemies. So difficult a thing is it to hold an even balance in the defence of liberty; for every one, under pretence of maintaining an equilibrium, so raise their own side, as to depress the other; and by endeavouring not to have any thing to fear from others, insensibly make themselves formidable. And thus we impose injuries on others, which we remove from ourselves as if there was an absolute necessity of either committing or suffering wrong on one side or other.

LXVI. *T. Quinctius Capitolinus* a fourth time, and *Agrippa Furius* were then made consuls, who on their entering into office, found the state neither engaged in domestic broils nor foreign wars. But both were near at hand. For the dissensions of the citizens could be no longer restrained, and both people and tribunes were so exasperated against the patricians, that several of the latter had days appointed to take their trial, and the assemblies for that purpose always afforded fresh matter of contest. Upon the first rumour of which the *Æqui* and *Volsci*, as if they had received a signal, took up arms. Their chiefs, from a desire of plunder, encouraged them on, assuring them, that since the people had thrown off all authority, the Romans had not been able to complete the levies which had been ordered two years before. "This was the reason why an army had not been sent against them.

The vigour of their discipline was enervated by licentiousness, and they reckoned Rome no longer their common and native country. They now turned upon themselves all their resentment and revenge against foreign nations. Now was the time to destroy these wolves (*a*) blinded with their domestic broils." They first laid waste the Latine territories with their confederate troops; and meeting no resistance there, to the great joy of those who advised the war, advanced in triumph to the very walls of Rome, plundering the country about the Esquiline gate. They shewed, in an insulting manner, Rome the spoil of her lands, drove off their booty with impunity, and then retired in a body to Corbio, upon which Quinctius called an assembly of the people.

LXVII. In this assembly, as I am informed, he made the following speech. "Romans, though I am conscious to myself of no crime, yet I appear in this assembly overwhelmed with shame. That you should know, and it should be told to posterity, that, in the fourth consulship of T. Quinctius, the Æqui and Volsci, who were lately scarce a match for the Hernici, advanced to the very walls of Rome, and retired unpunished. If I could have foreseen this disgrace (though we have long lived in such a manner, and the present situation of affairs is such, that my mind could presage no good from it) if, I say, I could have foreseen that this event was especially reserved for this year; I would have avoided the office either by banishment or death, if I could not have escaped it in a more honourable way. Is it then possible that Rome would have been taken in my consulship, if these enemies, who were in our gates, had had arms! Alas! I have reaped honours sufficient, and rather lived too long; it had been better for me to have died in my third consulship. Whom then did the dastardly enemy despise? Us consuls? or you, the Roman people? If the fault is ours, depose us, who are unworthy to govern you; and if that is not sufficient, punish us over and above. If it is yours, let neither gods nor men, O Romans, punish your sins, only may you at length repent. But the truth is, they neither despised your cowardice, nor relied on their own valour; for after being so often routed and put to flight, driven out of their camps, amerced in their lands, and made to pass under the yoke, they know both you and themselves too well. Discord among the orders of the state is the bane of this city; the contests between the patricians and plebeians; while we set no bounds to our desire of rule, and you carry your love of liberty to excess; while you are weary of patrician, and we of plebeian magistrates, the enemy takes courage. For God's sake, what do you aim at? You

desired tribunes of the people, we granted them for the sake of peace. You wanted decemvirs, we suffered them to be created. You grew weary of decemvirs, and we obliged them to lay down their office. Nay because you continued your resentment against them when become private persons, we suffered the most noble and honourable men of the state to be put to death and banished. You desired to have the tribuneship revived. You had it. We have allowed you to create consuls in your own interest; although we saw the injustice which was thereby done to the patricians. We likewise see the people presented with the patrician magistracies. You have enjoyed the protection of the tribunate, the right of appeal to the people, and at pleasure imposed laws of your own making on the patricians. Under pretext of getting equal laws, we have suffered and borne the abolition of all our prerogatives. Shall there ever be an end of contentions? Shall ever the orders in this city be united, shall ever this become a common country to us all? We who are the losers behave with more temper, than you who have gained the victory. Is it not enough that you are formidable to us? against us you encamped on mount Aventine; against us you seized mount Sacer. None of you repulsed your enemies the Volsci, when they had almost taken the Esquiline gate, and were even scaling your ramparts. Against us you shew your bravery, against us you take up arms."

LXVIII. "Come then, when you have blockaded this tribunal, made the forum a scene of war, and filled the prisons with the chief of the patricians, do but march out at the Esquiline gate in the same martial temper; or if you dare not do that, at least mount your ramparts, and behold your lands laid waste by fire and sword; see the booty carried away; look upon your houses lately burned, and still smoking. But moreover, the commonwealth is hereby reduced to greater extremity; your country is all on fire, the city invested, and the enemy triumphant conquerors. What accounts will you soon have of the miserable condition of your farms? Each of you will soon receive tidings of his losses. Who is there in the city, that can repair these damages? Will your tribunes make up and recompense them? They will indeed amuse you with speeches and harangues, accuse the patricians, make laws on the back of laws, and call assemblies in abundance. But did any one ever return home from their assemblies the richer or better for all they said? Did any man ever carry back any thing to his wife and children, besides enmity, injuries, and both private and public grudges? from the fatal effects of which you have been preserved in safety, not by



any valour or innocence of your own, but by the help of others. But in truth, when you served under us consuls, not under your tribunes, when you were in the camp, not in the forum, when by your shouts you terrified your enemies in battle, and not, Romans, the patricians by your noise in your assemblies, you gained booty, and took lands from your enemies, and returned triumphant home and to your gods, loaden with riches and glittering in renown. Now you suffer your enemy to go away loaded with your effects. Stand by your assemblies, live in the forum. That necessity, which you avoid, pursues you, and will oblige you to fight. Was it a hard task to march out against the Æqui and Volsci? The war is before your gates; if it is not beat off, it will soon be within our walls; it will scale the citadel and capitol, and pursue you even into your houses. Two years before the senate commanded levies to be made, and an army to be led to Algidum. We have ever since loitered at home, idly quarrelling with one another like women; content with our present enjoyment of peace, but not reflecting, that that very peace would, in a short time, bring many wars upon us. I am sensible that other topics would be more to your liking. Although my natural disposition dissuades me, yet necessity obliges me rather to speak cutting truths, than to flatter you. I would, indeed willingly please you, but I rather chuse to prevent your ruin, whatever your future sentiments of me shall be. Human nature is so formed, that he who flatters the multitude for his own interest, pleases more, than he who has no view but public benefit. But perhaps you think that these open flatterers, these popular men, who will neither let you live in peace, nor take up arms, are spurring and egging you on to your good: No! when they have excited you, theirs will be the honour and the gain: and because they see themselves little regarded, when unanimity reigns among the orders of the state, they had rather raise mischief, broils, and seditions, than not be taken notice of. If therefore you can at length disentangle yourselves from these chains, if you will resume the ancient spirit of your fathers, and your own brave conduct, instead of this lately adopted, I will be bound to suffer any kind of punishment, if I do not, within a few days, rout and put to flight these ravagers of our lands, drive them out of their camps, and carry all the terror of this war, which alarms you so greatly, from our gates and walls to their own cities."

LXIX. The harangue of a popular tribune has seldom at another time been received with greater applause of the people, than the stinging speech of this venerable consul was at this. The

youth who were wont on such occasions of fear to refuse to enrol themselves for the war, the severest wound they could give the patricians, now breathed nothing but war and arms. The flight of the plundered and wounded peasants, who gave out that more cruelty had been exercised than what they now beheld, filled the whole city with rage. When the senate was assembled, the eyes of all were attentively fixed on Quinctius, whom they looked on as the only assertor of the Roman dignity. The chiefs of the senate said, "his speech was worthy of the honourable post he filled, worthy of the former consulates he had held, worthy of his whole life, which was a series of honourable offices he had often enjoyed, and oftener merited. Other consuls had either flattered the people by betraying the interests of the patricians, or by rigidly maintaining the rights of the senate, had rendered the people quite ungovernable. But T. Quinctius in his speech had regard to the Roman dignity, harmony among all ranks, and had particularly adapted it to the times. They besought him and his colleague to maintain the interest of the republic. They then addressed the tribunes, entreating them cordially to join with the consuls in removing the war from their gates and walls, and to engage the people to obey the patricians cheerfully in this dangerous juncture. Their common country addressed itself to the tribunes, and implored their aid, now their lands were laid waste, and the city almost besieged." Levies were unanimously decreed and made. Then the consul spoke to the assembly as follows. "There is now no time to enquire into the excuses of those who absent themselves; the youth must all be ready by break of day tomorrow in the Campus Martius. When the war should be ended, they would take time to enquire into the excuses of those who had not given in their names; and would treat all as deserters whose excuse should not be sustained." All the youth rendezvoused there next day, and each cohort chose their own centurions, and two senators were placed at the head of each cohort. We find on record that all this was completed with such expedition, that the ensigns were ready, and brought out of the public arsenal by the quæstors (*a*), and by the fourth hour of the day, the troops moved out of the field. And this new army, together with a few cohorts of veteran troops who followed as volunteers, halted ten miles from Rome. The next day it came in sight of the enemy, and encamped close to them at Corbio. Neither side delayed to give battle on the third day, the Romans prompted by resentment, and their enemies by a consciousness of their frequent revolts, and by a despair of pardon.

LXX. When two consuls are in a Roman army they are vested with equal powers : but at this time Agrippa yielded the supreme command into the hands of his colleague, an action of unspeakable benefit in grand undertakings. Quinctius, who had this honour done him, made a courteous return to his colleague's civility, communicating all his designs, sharing the honour with him, and for his condescension putting him on a level with himself. In the battle Quinctius led the right wing, Agrippa the left, Sp. Posthumius Albus a lieutenant-general commanded in the centre, and Servius Sulpicius, another lieutenant-general, led on the horse. The foot on the right fought with great bravery, and met with a stout resistance from the Volsci. Servius Sulpicius broke through the enemy's main body with his horse; and though he might have returned to his own army, before the enemy, whom he had put in disorder, could have closed their ranks, he thought it better to charge them in the rear. He would have routed his enemies, who in this attack were greatly harassed both in front and rear, in an instant, had not the Volscan and Æquan cavalry suspended for a while his victory, by attacking him in his own way. Then Sulpicius called out to his squadrons, "that they had no time to lose; they were upon the point of being surrounded, and of having all communication with their own army cut off, if they did not by a vigorous charge put an end to the battle with the enemy's cavalry. They ought not to be content with putting them to flight and saving their lives, but to cut both man and horse to pieces, that not one of them might return to renew the battle. They will never be able to stand before you, who have already broken the main body of their foot." They were not deaf to his commands; at one shock they routed the enemy's squadrons, and dismounting a great many of them, ran both riders and horses through with their spears. Thus was the enemy's cavalry entirely defeated. Then they charged their foot, and sent intelligence of what they had done to the consuls, who had pushed the wings that opposed them. This news animated the Romans extremely, who were gaining ground, and struck terror into the Æqui who were giving way. The victory began in the centre of the army, where the horse had broken through and put the ranks in disorder. Then their left wing was broken by Quinctius; but the action was hotter on the right. There Agrippa, in full heat of youth and strength, seeing success attended the Romans every where, but where he acted, snatched the ensigns from those who carried them, and advancing with them himself, began to throw some of them amongst the thickest of the enemy.

Then his troops, roused with the fear of shamefully losing them, made a vigorous charge. And thus the victory was rendered complete on all sides. Then came a messenger from Quintius to inform them that he was ready to attack the enemy's camp, but would not break in, till he knew they had conquered in the left wing. If they had routed their enemies, he ordered them immediately to come and join him, that the whole army might equally partake of the spoil. Agrippa, now victorious, advanced, with mutual gratulations, to his colleague and the enemy's camp; and having soon routed the few that defended it, broke over the intrenchment without fighting. There the army gained a great booty, and having recovered their own effects, which they had lost in the plunder of their country, brought all back together. I do not find that the consuls either demanded or the senate decreed them a triumph. Nor is there any reason assigned, why they either refused or did not expect this mark of distinction. But as far as I can conjecture at this distance of time, seeing the senate had denied a triumph to the consuls Valerius and Horatius, who besides defeating the Æqui and Volsci, had the glory too of putting an end to the Sabine war; the modesty of the present consuls, who had done but half that work, hindered them from suing for one. Besides had they obtained it, the senate would in that case have seemed more to have respected persons, than merit.

LXXI. An unjust judgment of the people, in settling some bounds of their allies, sullied this honourable victory gained over their enemies. The Aricini and Ardeates, having frequently disputed with their swords for a tract of ground, which they both pretended a right to, and wearied with many slaughters on both sides, at length agreed to submit the case to the arbitration of the Roman people. When they came to solicit their cause, the magistrates convened an assembly of the people, where it was pleaded with great warmth. When the witnesses had been heard, and the tribes were just upon the point of voting, an aged plebeian, P. Scaptius, rose up and said, "If, consuls, I may be allowed to speak for the interest of the state; I will not suffer the people to err in this cause." When the consuls would neither hear nor regard him, and commanded him to be removed as he was exclaiming that the public interest was betrayed, he appealed to the tribunes. They, being always rather governed by the multitude than the multitude by them, gave Scaptius leave to say what he pleased to the people, who were very desirous to hear him. Then he began, "I am now eighty-three years old. I have fought in that very territory now in question: I was not young

at that time, for I had made twenty campaigns before the battle of Corioli. Wherefore I will relate this affair, which though through length of time forgot by others, is still fresh in my memory. The district in dispute belonged to Corioli, and on the taking of that city, by the right of conquest became the public property of the Roman people. He was surprised, on what ground the Aricini and Ardeates, who had never claimed this territory, while the state of Corioli subsisted, could hope to carry it off from its legal owners, the Romans, and instead of owning their title had made them arbitrators in the case. He had but a short while to live. Yet though he was old he could not forbear to claim by his voice, which was the only method in his power, that territory, which while a soldier he had helped by his bravery to conquer. And he earnestly advised the Romans not to prejudice their interest by a mistaken modesty."

LXXII. The consuls perceiving, that Scaptius was not only listened to with attention, but even with approbation, called gods and men to witness that they were committing a most heinous injustice. Then they sent for the principal senators, and with them went round among the tribunes, and conjured them, "not to suffer this crying iniquity, but worse precedent, for judges to make themselves parties in the cause. They should consider, that even though it were justifiable for judges to mind their own advantage; yet surely they would not gain so much by the acquisition of this territory, as they would lose by alienating the minds of their allies by this notorious injustice. Loss in point of reputation and integrity was greater, than possibly could be imagined. Shall their deputies carry home this news? Shall they spread it abroad? Shall our allies hear of it? Nay, shall our enemies hear of it? What grief will it occasion among the former? What rejoicing among the latter? Did they think the neighbouring nations would impute it to that prattling dotard Scaptius? His name indeed will be made famous by the representation of this deed; but the Romans would bear the character of cunning promoters and barrators, who carry off the profits of other men's law-suits. For what judge, even in a private affair, would adjudge the thing in dispute to himself? No! Scaptius himself, though he had outlived all shame, would not be guilty of this." Thus did the consuls and senators exclaim against what was doing; but avarice and its abettor Scaptius prevailed. The tribes being assembled, adjudged, "the territory to be the public property of the Roman people." And it is agreed it ought to have been so, had the affair been referred to other judges; but in the present

case the justice of their cause does not lessen the infamy of their sentence. Nor did it appear more iniquitous or give more concern to the Aricini and Ardeates themselves, than to the Roman senators. The remaining part of the year was free from all disturbance either at home or abroad.

END OF THE THIRD BOOK.

# THE HISTORY OF TITUS LIVIUS.

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## BOOK FOURTH.

*The tribunes of the people after a great struggle, occasioned by the opposition of the senators, get a law passed concerning intermarriages of the patricians with the commons. The institution of military tribunes. The administration of the affairs of the Romans both in peace and war, for some years committed to them. The first institution of censors. A territory belonging to the Ardeates which had been taken from its possessors by a decree of the people, restored on pretence of sending a colony to that city. The Romans being distressed by famine, Spurius Maelius a Roman knight distributes corn among the people at his own charge; but having by this means procured the favour of the commons, he aspires to the kingdom, and therefore is slain by Servilius Ahala general of the horse, by order of the dictator Quinctius Cincinnatus. Lucius Minucius, who informed against him, presented with an ox with gilded horns. Statues erected in the rostra for the Roman ambassadors who were put to death by the Fidenates, because they died for the sake of the common-wealth. Cornelius Cossus a military tribune, having slain Tolumnius king of the Veientes, offers the second opima spolia to Jupiter Feretrius. Mamercus Æmilius the dictator limits the duration of the censors' office, which formerly had continued five years, to a year and six months, and is on that account stigmatized by the censors. Fidenæ having been subjected to the Romans and a colony sent to it, the inhabitants put the colony to the sword, and rebel against their masters, but are conquered by Mamercus Æmilius the dictator, and their city taken. A conspiracy of the slaves suppressed. Posthumus the military tribune slain by the army, on account of his cruelty. The soldiers for the first time have their pay out of the treasury. This book, besides these articles, contains an account of the achievements of the Romans against the Volsci, the Veientes, the Fidenates and the Falisci.*

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**I.** THE former consuls were succeeded in their office by Marcus Genutius and Caius Curtius, during whose consulship a great many troubles and disturbances happened both at home and abroad; for in the beginning of the year Caius Canuleius, tribune of the people, proposed a law concerning intermarriages of the patricians with plebeians, which the senators thought had a tendency to pollute their blood and confound the privileges of families; and the other tribunes having at first, with some diffidence, only mentioned their inclination to have the people left at liberty to elect one of the consuls out of their own number, the matter

was afterwards carried to so great a height, that nine of them proposed a new law, "empowering the commons to choose the consuls, either from among themselves or the patricians as they should think proper." But the patricians thought this was not only reducing the nobility to a level with the meanest in the state, but taking the chief power entirely out of their hands to lodge it in those of the people; therefore they heard with pleasure, that the Ardeates had revolted on account of the injury the Romans had done them in adjudging a territory, which they laid claim to, to themselves; the Veientes had laid waste the frontiers of the Roman dominions, and the Volsci and Æqui murmured on account of the fortifications which had been raised at (a) Verugo: so much did they prefer even the calamities of (b) war to a dishonourable peace. Therefore adding new circumstances of terror to these reports, that the noise of so many wars might silence the claims of the tribunes, they appointed an army to be levied, and preparations for war to be carried on with the utmost vigour, so as, if possible, to exceed those which had been made when Titus Quinctius was consul. Upon this Canuleius made a short speech, but with great warmth, in the senate, wherein he said, the consuls endeavoured in vain, by terrifying the people, to divert them from promoting the new laws, they should never while he lived obtain levies, until the people passed the laws which had been proposed by him and his colleagues, and immediately called an assembly.

II. At the same time the consuls enflamed the senate against the tribune, and the tribune the people against the consuls. The consuls said, "the rage of the tribunes could no longer be borne; matters were now come to an extremity, and a more dangerous war was raised within the city than without it, nor was the blame of this to be laid upon the people more than the patricians, or upon the tribunes more than the consuls; whatever was rewarded in any state, always flourished and increased in a most remarkable manner: by this means men were trained to excel in the arts of war and peace. But in Rome sedition had always met with the highest rewards, as it had always tended to their reputation and character of all and every one who have studied to promote it. Let the senators call to mind the majesty of their order as they received it from their fathers, compare it with the condition in which they were like to transmit it to their children, and see whether they had improved and enlarged their privileges, as the people had just reason to boast that they had greatly augmented theirs (a). It was plain that in these circumstances their con-



tentions were not at an end, nor could it be expected they should; so long as the authors of dissention were honoured in proportion to the success of their endeavours to disturb the public peace. What great matters had Camuleius attempted? No less than to blend all families of distinction with the meanest of the people, and confound the public and private auspices (*b*), that nothing may remain pure and uncorrupted in the state, and that all distinctions being taken out of the way, no person may know himself or his relations. For what else could be the design of these promiscuous marriages, but that the senators and people should indifferently couple together like wild beasts? That their children may be ignorant to what family they belong, or to what rites they are entitled (*c*); being half patricians, half commoners, and even inconsistent with themselves. But as if they deemed it a small matter to confound all human and divine rights, these disturbers of the public peace were now preparing to invade the consulship. At first indeed they had only talked, of having one of the consuls elected from among the people; but now they had proposed a law that the people should be at liberty, to choose the consuls; either out of their own body or that of the senators, and they no doubt would elect the most turbulent they could find. The Canuleii and Iciliii would therefore be made consuls; but God forbid that an office of regal dignity should fall under such contempt, and they would die a thousand times rather than suffer such a disgrace to be brought upon it. They were well assured, that if their ancestors could have conjectured that by granting every thing they could not make the people better affected towards them, but on the contrary they would be still more intractable by making continually new demands, every one more unreasonable than the former, they would have at first ventured a pitched battle with whatever disadvantages, rather than subject themselves to such hard terms; but because they had yielded to them in the institution of tribunes, they had for that very reason been obliged to make new concessions. Therefore there could be no end to dissentions, so long as there were senators and tribunes in the same state: either that order of men or this office must be laid aside, and it was better too late than never to prevent the effects of insolence and rashness. Shall they with impunity, by sowing discord, excite the neighbouring nations to war against their country, and then forbid the state to arm, and defend itself against these invasions they have brought upon it? And when they had given every encouragement to their enemies, except a formal invitation, not suffer an army to be levied against

these very enemies? But Canuleius has the boldness to say in open senate, that unless the fathers will yield him the victory, and suffer his laws to take place, he will obstruct the new levies. What else is this but to threaten that he will betray his country, and suffer his native city to be besieged and taken? With what courage must that expression inspire; not the Romans, but the Volsci, the Æqui and the Veientes? Will they not expect that they shall be able to scale the walls of the capitol and citadel, under the conduct of Canuleius, if the tribunes, after having stripped the senators of their rights and dignity, shall also divest them of their resolution and courage? As for the consuls they were ready to lead them against their wicked countrymen before they should march against their armed enemies.

III. While the senate were principally employed in hearing such harangues (*a*), Canuleius spoke to the people in defence of the laws he had proposed, and in opposition to the consuls in this manner. "I think, Romans! I have often formerly observed, how much the senators despised you, and how unworthy they think you are to live within the walls of the same city with them; but now I am fully confirmed in this persuasion, from the violent opposition they make to the laws we have proposed. And yet what else can we propose by these laws, but to put them in mind that we are their fellow citizens, and though not possessed of the same share of wealth and power, yet we inhabit the same country. By one of them we demand the right of intermarrying with them, a privilege which has been granted to those of the neighbouring nations and even foreigners, yea we have granted the privilege of citizens, an advantage superior to that of intermarrying with us, even to our conquered enemies. By the other we propose to make no new law, but demand the restitution and exercise of the people's original right to bestow honours upon whom they please. What then can be the reason why they make such a prodigious stir, as if heaven and earth were falling together? Why! but just now I narrowly escaped an assault in the senate? Why! they declare they will not keep off their hands, and threaten to violate the sacred authority wherewith I am vested? If the people of Rome are allowed their freedom in voting, and have power to bestow the consulship on whom they please, and suppose even a commoner is not cut off from all hope of obtaining the highest honours, if it appears he deserves them, in such a case cannot this city stand? Is the empire by this means brought to ruin? and is it as absurd to suppose a commoner made consul, as to talk of raising a slave or a freedman to that dignity? Are you sensible under

what contempt you live? Were it in their power, they would take from you even your share of this common light: they are vexed that you draw breath, enjoy the use of speech, or appear in a human shape: yea (if you believe them) they say it would be an impiety to make a commoner consul. But pray, if we are not allowed access to the (*b*) journals and records of the pontiffs, do we not know what even strangers are acquainted with, that consuls came in the place of kings, and have no power or dignity which these did not enjoy before them? Do you think we have never heard that Numa Pompilius was so far from being a patrician, that he was not so much as a Roman citizen, but brought from the country of the Sabines, and raised to the throne of Rome, by the choice of the people, and consent of the fathers? that some time after L. Tarquinius, descended of no family in Rome, nor even within the bounds of Italy, but the son of Damaratus the Corinthian, and an inhabitant of Tarquinii, was made king, even during the lifetime of the sons of Ancus? That immediately after him Servius Tullius, though the son of a captive woman of Corniculum, whose father was of no account, and his mother a slave, was advanced to the throne by his own abilities and merit? I need not speak of T. Tatius the Sabine, whom Romulus the founder of this city associated with himself in the kingdom. And while no family was despised, whose virtue made them conspicuous, the Roman empire did not cease to flourish and increase: You may then despise a plebeian consul, though our ancestors did not disdain to make foreigners their kings, and though since the abolition of regal government, strangers of remarkable worth have not been excluded from the freedom of this city. It was certainly after this period, that we not only received the Claudian family from the country of the Sabines, to the privilege of citizens, but also admitted them into the number of the patricians. Shall a foreigner then be first made a patrician, and afterwards consul, and yet a Roman citizen, because he is a plebeian, be precluded all hopes of the consulship? Do you believe it impossible that a brave and active man, one excelling in the arts of peace and war, and like Numa, L. Tarquin, or Servius Tullius, should ever be found among the people? Or should we meet with such a commoner, is it necessary to exclude him from the administration of affairs? And shall we rather have for our consuls such men as the decemvirs, the very worst of all mankind, who were all patricians, than men resembling the best of kings, who happened to be descended of obscure families."

IV. "It is true, that since the kings were expelled, no plebeian has been made consul. But what of all that? must nothing new be instituted? Seeing there are many regulations not yet made, the state being yet in its infancy, must every thing which has not been yet done, however useful in its nature, be for that reason left undone for ever? In the reign of Romulus there were no priests nor augurs, but they were instituted by Numa Pompilius. There was originally no census in the city, nor was the people distributed into classes and centuries, but both were appointed by Servius Tullius. Consuls, who had never been before, were instituted as soon as the kings were expelled. Neither the name nor authority of dictator existed at first, but the senators gave them being. There were originally no tribunes of the people, ædiles nor (a) questors, but it was resolved they should be. Within these ten years we instituted decemvirs for compiling a body of laws, and laid them aside again. Who can doubt but in a city that was built to last for ever, and is continually growing to an immense extent, new offices, and new orders of priests, must be instituted, and new privileges and rights conferred upon particular families and private men? Did not the decemvirs, but a few years ago, make this very law against intermarriages between patricians and people, which was the greatest prejudice they could do to the state, as well as the highest injustice to the people? Can there be a greater or more notorious insult, than that one part of the community, as impure, should be declared unworthy to intermarry with the other? What else is this, but to have an act of banishment (b) passed against them, and to live as exiles within the walls of the same city? They are jealous of our being connected with them by affinity or relation, they are afraid of our blood's being united to theirs; but what occasion for this fear? If this would pollute that nobility you boast of, which, after all, the greatest part of you, who are descended of the Albans or Sabines, derive not from your birth or families, but from your admission into the order of senators, an honour to which you were either chosen by the kings, or after their expulsion, promoted by the suffrages of the people: could you not preserve it uncorrupted by your own prudence, not taking wives for yourselves out of the number of the commons, and suffering your daughters and sisters to marry none but patricians? No plebeian would ravish a senator's daughter, such instances of intemperance are only to be found among the patricians. No person would be obliged to enter into a marriage contract against his will. But that this should be prohibited by law, and marriages contracted

between patricians and plebeians declared void, is a high insult upon the people. Why do you not enact that the rich shall not intermarry with the poor? It has been at all times, and in all nations, left to the private discretion of parties, to agree upon the family into which a woman shall be disposed of in marriage, and upon that out of which a man shall take a wife; but this liberty you restrain by the sanction of a most insulting law, that you may make a schism in the political body, and split one society into two; why do you not enact that a plebeian and patrician shall not live in the same neighbourhood, nor walk in the same highway? be present at the same entertainment, or appear in the same forum? What difference is there between these instances, and a patrician's marrying a commoner or a commoner a senator's daughter? Does this, pray, make any alteration in the rights of these two distinct orders? By no means; for still the children will be of the same rank with their fathers. We want no other advantage by intermarrying with you, but that of being treated like men and citizens; nor have you any reason to contend with us upon this score except you choose to exert your power in casting contempt and disgrace upon us.

V. "To conclude, whether is the supreme power lodged in your hands, or in those of the people? Did we, by expelling the kings, purchase an unlimited power for you, or an equal share of liberty to all? You cannot help owning that the people of Rome may pass a law, if they think proper. Or as soon as any new motion is made, will you punish it by ordering an army to be levied? and as soon as I, by virtue of my office as tribune, begin to summon the tribes to give their suffrages, will you by your consular power oblige the youth to take the military oath, and lead them to the field, breathing threats both against the people and their tribune? But have you not experienced twice the force of these threats against the consent of the people? Perhaps you came not to a rupture with us, because you consulted our safety; or rather were not hostilities prevented, because the party which excelled in strength had likewise the advantage in moderation? Nor, trust me Romans, will there be any civil war upon this occasion, the patricians will be always ready to try your resolution, but will never venture to try your strength. Upon the whole, consuls, the people are ready to attend you in these wars you mention, whether real or pretended, if setting the rights of marriage upon their ancient footing, you will at last restore union to this divided city; if they have access to associate themselves with you, and private alliances may be concluded between your

families and theirs; if brave and active men may entertain hopes of preferment, and be admitted to places of honour; if in conjunction with you they are admitted to a share in the administration of public affairs; and if, which is most suitable to a state of uniform liberty, they obey the annual magistrates, and have access to command them in their turn. But if any person shall obstruct these rights, talk of wars as much as you please, multiply and increase them in your accounts, no man will give his name to be enrolled, no man will take up arms, none will fight for haughty lords, with whom they have no share in the honours of the state, and with whom, in private life, they can contract no affinity by marriage."

VI. The consuls having gone to the assembly of the people, and the dispute which was at first carried on by set speeches, afterwards turning to altercation, the tribune asked why a commoner might not be made consul? It was answered, perhaps truly, but little to the advantage of the patricians in the present debate, that no commoner had a right to the auspices, and therefore the decemvirs had declared such marriages void, that a doubtful race might not render the auspices uncertain also. The people were provoked to the highest degree, that they should be denied a right to the auspices, as if they were persons hateful to the gods. And as they had in the person of their tribune a most strenuous prompter, and were themselves no less resolute than he, the controversy did not end, till at last, the fathers being worsted, agreed to let the motion concerning marriages be passed into a law. For they thought compliance the most proper means to induce the tribunes, either to drop entirely their other motion concerning the election of plebeian consuls, or at least lay it aside till after the war; and that the people, satisfied with the advantage they had obtained with respect to their marriages, would be ready to promote the levies. As Canuleius was now become very considerable by his victory over the fathers, and the favour of the people, the other tribunes, encouraged by his success to enter the lists, laboured with the greatest vigour to promote their bill; and, as the report of the impending war daily increased, obstructed the levies. The consuls, because they could get nothing done in the senate, on account of the violent opposition of the tribunes, held meetings of the nobility in their own houses, at which it appeared that they must either yield the victory to their enemies or their countrymen. Valerius and Horatius were the only persons of consular dignity, who did not attend these meetings; C. Claudius advised the consuls to employ their arms against the tribunes. But the

Quinctii, Cincinnatus, and Capitolinus, were against putting to death, or offering violence to those whose persons, by the treaty made with the people, they had obliged themselves to hold sacred. At these private meetings it was agreed, that they should allow military tribunes with consular power, to be chosen indifferently either out of the body of patricians or commons, but no alteration should be made in the method of electing consuls. To this the tribunes gave consent, and the people were satisfied. Upon this the comitia was summoned for the election of military tribunes with consular power, and immediately those who had spoke or done any thing to raise or promote sedition, especially they who had served in the office of tribune, offering themselves as candidates, began to make their addresses to their friends, and ran up and down the whole forum making interest: so that the patricians at first forbore putting up for that honourable office, not only because they despaired of succeeding with an enraged people, but also as they disdained to serve in company with such persons. But at last, being over persuaded by the chiefs of their party, they declared themselves candidates, that they might not seem to have given up the administration of the government entirely to the people. The event of this comitia shewed that men of sound judgment discover a different temper of mind, when they are contending for their liberties and privileges, and when these disputes are over. The people were satisfied with the regard that had been shewn them, and therefore in the election of tribunes preferred none but patricians. Where shall we now find in one man, that moderation, equity and greatness of mind, which was at this time common to the people in general?

VII. In the year three hundred and ten (*a*) from the building of the city, A. Sempronius Atratinus, L. Atilius and T. Cæcilius, the first military tribunes with consular power, entered upon their office, and the unanimity which subsisted at home during their administration contributed to maintain peace abroad. Some authors, without mentioning the motion for electing consuls from among the people, say, that because the Romans, besides the defection of the Ardeates, were engaged at the same time in a war against the Æqui, the Volsci, and Veientes, and because the consuls could not manage so many important concerns at once, they elected these military tribunes, and that they were vested with the authority, and used the ensigns of consular power. But this office was not fully established at this time, because three months after they were degraded by a decision of the augurs on account of an informality in their election, C. Curtius, who pre-

sided at the comitia, not having pitched the tent (*b*) in a proper manner. At this time ambassadors came from Ardea, complaining of the wrong which had been done them, but in such terms that it appeared they would not renounce their treaty and alliance with the Romans, if, in reparation of that injury they could obtain the restitution of their territory. The senate answered, "That they could not reverse the sentence passed by the people, for as there was no law nor precedent for this, it might be of prejudice to the harmony, which ought to subsist between the different ranks of men in the state: but if the Ardeates would wait for a favourable opportunity, and leave it to the wisdom of the senate to find means for redressing this grievance, they should afterwards have reason to rejoice that they had set bounds to their resentment, and be satisfied that the senate were as hearty in their endeavours to prevent their being exposed to injuries, as careful that if any wrong was done them, it should not continue long." The ambassadors, promising to lay the whole affair before their state, were sent away with marks of respect. As the city had no supreme magistrates, the senate met and elected an interrex. During this interregnum it was disputed for several days whether they should elect consuls or military tribunes. The interrex and the senate were for holding the comitia for electing consuls, but the people and their tribunes for electing military tribunes. The senators gained the victory, because the people being determined in either case to choose patricians, gave up a dispute which would answer no end: and the principal men of their number preferred the comitia, where they were not capable of being elected, to that wherein they would be rejected as unworthy; even the tribunes of the people, out of respect to the principal senators, declined a dispute which they foresaw would have no success. T. Quinctius Barbatus, who was interrex, elected L. Papirius Mugilanus, and L. Sempronius Atratinus consuls. In their consulship the treaty with the Ardeates was renewed, and this very treaty is an evidence that they were consuls that year, though they are not mentioned in the ancient annals, nor in the registers of magistrates. I am of opinion that as military tribunes were elected in the beginning of the year, the names of the consuls who were chosen in their place are omitted, as if the authority of the former had continued to the end of it. Licinius (*c*) Macer says, that their names were found in the treaty made with the Ardeates, and in the linen records (*d*) in the temple of Moneta (*e*). Notwithstanding the Romans were this year so often alarmed by the neighbouring nations, yet there was peace both at home and abroad. Whether



during this year military tribunes only were in the administration, or consuls also were chosen in their stead, it is certain that in the next M. Geganius Macerinus for the second, and T. Quinctius Capitolinus for the fifth time were consuls.

VIII. This year also gave rise to the censorship (*a*), which though it was inconsiderable at first, afterwards rose to such a height, that it had the direction of the morals and discipline of the Romans, superintended the senate and the centuries of the knights, settled the bounds of what should be esteemed honourable and disgraceful, and the privileges of private and public places, as well as the Roman taxes, were under its jurisdiction, and entirely at its disposal. This office owed its rise to the following circumstance; the people had not been rated for a great many years, so that the census could be no longer delayed, and yet by reason of a great many impending wars, it was not in the power of the consuls to manage that affair. It was suggested by the senate, "That a matter of great difficulty and below the dignity of a consul, required a peculiar officer, who should have authority over the clerks, the keeping of the tax-rolls, and determine the method of performing the census." However inconsiderable this office might seem at first, the fathers received the proposition with joy, as it was like to encrease the number of the patricians, who bore offices of state. I am of opinion, they also thought, as it afterwards happened, that the interest and power of those, who served in this office, would in a short time conciliate authority and respect to the office itself. The tribunes of the people considering it rather as a necessary than honourable institution, which at that time was indeed the case, did not dispute it with the fathers, that they might not seem to delight in an unseasonable opposition, upon small and inconsiderable occasions. As this office was contemned by the principal men of the state, the people chose for performing the census, Papirius and Sempronius, whose consulship the former year we found doubtful, that by the accession of this new honour, they might make them amends for the imperfection of their former, and they were from the name of their office called censors.

IX. During these transactions at Rome, ambassadors came from Ardea entreating the Romans, for the sake of that most ancient friendship, which had subsisted between them, and on account of the treaty so lately renewed, to assist their state, now almost reduced to ruin, by reason of a civil war which prevented their enjoying the fruits of the peace, they had very wisely kept with them. The source and spring of these civil discords is said to be

owing to the rage of parties, which has been more fatal to many states than foreign war, famine, distempers and other calamities, which being the severest strokes that can befall a nation, are generally ascribed to the divine anger. Two young men had made their addresses to a plebeian virgin, much celebrated for her beauty, the one her equal, supported by her guardians, who were also of the same rank, the other a nobleman, charmed only by her beauty, recommended by the favour of the nobility. By these means the spirit of party was communicated to the virgin's family. The mother, willing to find as honourable a match as she could for her daughter, declared for the nobleman. The guardians, even in this matter, consulting the interest of their party, favoured the pretensions of the commoner. As the affair could not be adjusted within the family, they went to law, and the judge having heard the pleas of the mother and guardians, asserted the mother's right to dispose of her daughter in marriage. But violent measures prevented the execution of the sentence. For the guardians having in the public forum expatiated on the injustice of it, to those of their own party, got a number of men together, seized the virgin, and forced her out of her mother's house. In opposition to them the nobility rose up in great rage, under the conduct of the injured youth, and a bloody battle ensued. The people, unlike to that of Rome (*a*), being routed, marched out of the city in arms, and posting themselves upon a rising ground, laid waste the lands of the nobility with fire and sword, and having by the hopes of plunder, prevailed upon a great number of mechanics to come out of the city, which hitherto had not suffered by the war, prepared to lay siege to it. And now war presented itself in all its dreadful scenes and dismal effects, the whole state being as it were infected with the distraction of the two youths, who were endeavouring to secure for themselves a fatal marriage, by the ruin of their country. Neither party thought they had sufficient strength or arms at home. Therefore the nobility called in the Romans to assist them in relieving the city, and the people applied to the Volsci, to support them in carrying on the siege. The Volsci arrived first under the command of Cluilius one of the *Æqui* (*b*), and shut up the city, by a line of circumvallation quite round its walls. When these accounts were brought to Rome, the consul M. Geganius immediately marched out with an army, pitched his camp within three miles of the enemy, and the day being far spent, ordered his men to refresh themselves. At the fourth watch, he moved forward and began and carried on his works

with such expedition, that at sun-rising the Volsci found the Romans had blocked them up, by a stronger fortification than that wherewith they had invested the city. The consul had also at another place carried his works (*c*) to the walls of Ardea, to open a communication between his army and the town.

X. The general of the Volsci, who till then had victualled his army, not from magazines prepared before-hand, but with the corn he got from day to day, in ravaging the lands of the nobility, seeing himself on a sudden blocked up, and thereby deprived of all necessaries, invited the consul to an interview, and told him, that if the Romans came to raise the siege, he was willing to withdraw the Volsci. To this the consul answered, that a conquered army ought to receive, not prescribe terms, and since the Volsci had come to besiege the allies of the Romans, when they thought proper, they should not depart at their own pleasure. They must give up their general, lay down their arms, own themselves conquered, and submit to his orders, otherwise they would be as much their enemy when they should have raised the siege, as when they carried it on, and he would rather choose to return to Rome crowned with victory, than with the accounts of a treacherous peace. The Volsci being destitute of all hope but the little which they placed in their arms, were willing to put it to a trial: and besides other disadvantages having engaged the enemy in a place improper for a battle, and yet more unfit for a retreat, when they found themselves slaughtered on all sides, instead of fighting had recourse to prayers, and having delivered up their general, and laid down their arms, were made to pass under the yoke, and being loaded with misery and disgrace sent away with a single garment a piece. Afterwards they stopt to refresh themselves near Tusculum, where the inhabitants, incited by an old grudge, fell upon them as they had no arms to defend themselves, and made such havock that scarcely any were left to carry home accounts of the disaster. The Roman consul beheaded the principal authors of the insurrection at Ardea, confiscated their goods to their own state, and thereby composed the distracted affairs of that people; who thought that the Romans had, by so great a kindness, sufficiently atoned for the injury they had formerly done them, in adjudging their territory to themselves. The senate however were of opinion that something else was necessary, to efface that monument of the people's avarice. The consul at his return entered the city in triumph. Cluilius the general of the *Æqui* was led before his chariot, together with the spoils of the enemy, who had been disarmed and made to pass under the

yoke. Quinctius the consul, which was a matter of great difficulty, gained, by his peaceable administration, a renown equal to the glory which his colleague obtained in arms: because by an impartial distribution of justice to all, from the highest to the lowest, he so maintained peace and unanimity at home, that the fathers thought him severe, and yet the people considered him as a consul of sufficient moderation; and he carried more points against the tribunes by his authority, than by contending with them. Five consulates conducted in the same uniform method, and his whole life spent in a manner suitable to the consular dignity, conciliated to his person an awe and respect, in some sort greater than the highest honours of the state to which he was raised. On this account there was no mention of military tribunes during this consulate.

XI. The great care and diligence, which had been used in assisting the Ardeates, when exposed to the most imminent danger, had rendered this year remarkable, not only among the neighbouring nations and allies, but also the enemies of the Romans. Therefore the following consuls, M. Fabius Vibulanus and Posthumius Æbutius Cornicen, considering that the renown of the former administration for its conduct in peace and war, was very considerable, thought that they ought to exert themselves with the greater vigour, to banish entirely out of the minds of men the remembrance of the infamous sentence which the people had passed. With this view they prevailed with the senate to enact, "that seeing the state of Ardea was by civil discord reduced to a small number, a colony should be sent into their dominions to protect them against the Volsci." So much of the senate's resolution was inserted in the public records, that the tribunes and people might not be aware of the design formed to repeal their sentence, for they had also agreed that a far greater part of the colony should consist of Rutuli than of Romans, that no territory should be divided but what had been taken from its possessors by that infamous sentence, and that no Roman should have the least share in it, until all the Rutuli were provided: by this means the territory returned to the Ardeates. The three persons elected to lead the colony to Ardea, were Agrippa Mene-nius, T. Clœlius Siculus and Marcus Æbutius Elva. But they by their unpopular office, which was that of dividing among the allies, the land which the Romans had adjudged to themselves, offended the people, nor were they very acceptable to the principal senators, because not biassed in favour of any person whatever, and therefore when the tribunes appointed them a day to

answer for their conduct before the people, they avoided the prosecution by being united to, and abiding with the colony, who had been witnesses of their justice and integrity.

XII. This year and the next, when C. Furius Pacilus and M. Papirius Crassus were consuls, there was peace both at home and abroad. The games vowed by the decemvirs by act of senate, upon occasion of the secession of the people from the fathers, were celebrated this year. Petilius in vain sought occasions of exciting sedition; for having been a second time made tribune of the people, he could not, by denouncing often the same threats, prevail with the consuls to make a motion in the senate, for dividing the lands among the commons; and when after a great bustle he had obliged them to consult the fathers whether they would please to hold the comitia for choosing consuls or military tribunes, they ordered that consuls should be elected: the menaces of the tribune, that he would stop the levies, only exposed himself to ridicule, because when the state was at peace with all its neighbours, there was no occasion for war, nor any preparations for it. This peaceable state of affairs was followed by the year of Proculus Geganius Macerinus's and L. Menenius Lanatus's consulship, a year remarkable for many disasters, by means of seditions and famine, and the danger to which liberty was exposed by the people, who intoxicated by the sweets of bribery very near submitted their necks to the yoke of regal power. No calamity was wanting but that of a foreign war, which must have raised their afflictions to such a pitch of distress, that the power of all the gods could scarcely have saved the state from ruin: These troubles began by famine, occasioned either by the badness of the season for corn, or the people's neglecting to cultivate their lands, that they might indulge themselves in the pleasure of frequenting the city and attending assemblies; for both these causes are assigned, and the senators blamed the slothfulness of the people; the tribunes of the people, in their turn, complained sometimes of the fraud, and at other times of the negligence of the consuls. At last the commons, without opposition from the senate, got the (*a*) oversight of provisions committed to L. Minutius, who was like to be more happy in securing the liberty of the state, than successful in promoting the ends of his office; though at last he justly had the glory of lowering the price of provisions, and the grateful acknowledgements of the people upon that account: for after having in vain sent many ambassadors both by sea and land to the neighbouring nations, without increasing the quantity of grain, but by a small matter which was brought from

Hetruria, he applied himself to a frugal management of the poor stock which his own country afforded, by obliging all persons to discover their corn, and sell what they had above a month's provision, reducing the daily proportion of victuals allowed to slaves, and accusing the corn merchants, whom he also exposed to the rage of the people. But by all this severe inquisition, he rather discovered the great penury of grain which the city laboured under than relieved it; so that many of the people having lost all hopes, chose to wrap up their heads, and throw themselves into the Tiber, rather than be tormented by spinning out their lives in such wretched circumstances.

XIII. At this time Sp. Mælius of the equestrian order, a man of extraordinary wealth, considering the time in which he lived, attempted a thing useful in its nature but very bad in its consequences to the state, and yet worse in its intention. For having, by means of his friends and clients, bought up corn at his own charge in Hetruria, which, I am of opinion, prevented the success of the measures taken by the state to bring down the price of that commodity, he began to distribute it among the people; and wherever he went, by the pomp and splendour in which he appeared, far superior to that of a private man, he attracted the eyes of the commons, whose affections he had gained by his munificence, and in their favour and good wishes had a sure prospect of being raised to the consulship. But as it is the nature of the human mind to be unsatisfied with the prospects which fortune presents to it, he began to entertain more ambitious and unlawful views: and as he must force himself into the consulate against the will of the senators, he thought of seizing the regal power, as the only prize suited to the deep designs to be formed, and the great opposition to be conquered, before it could be attained. By this time the comitia for electing the consuls was at hand; which was the very thing that ruined him before his schemes were digested, and his project ripe for execution. T. Quinctius Capitolinus, a person by no means favourable to his designs of bringing about a revolution in the state, was a sixth time chosen consul. Agrippa Menenius surnamed Lanatus assigned him as his colleague, and L. Minutius was either now made superintendant of provisions a second time, or had at first been elected for no limited space, but as long as there should be occasion for that office; for there is nothing certain in this case, but only that his name is inserted in the linen registers among the magistrates of this and the preceding year. As Minutius by public authority executed the same office which Mælius had undertaken in a private capacity, and

the same sort of men frequented the houses of both; he had a full discovery of the affair made to him, and informed the senate, "that quantities of arms were brought to Mælius's house, secret meetings held there, and he was certainly forming a conspiracy for seizing the sovereign power. The time for execution was not yet fixed, but all other things were agreed upon, the tribunes of the people were hired to betray the liberty of the state, and the leading men among the commons already had their parts assigned them. He had delayed giving this information till it was almost too late for the public safety, that he might advance nothing which was either false or founded upon uncertain reports." Upon hearing this the principal senators from all quarters censured the consuls of the former year, "because they had suffered these largesses to be made, and meetings to be held in a private house, and the present consuls for waiting till a superintendant of provisions should inform the senate of an affair of such importance, as deserved not only to be communicated to them, but also to be punished by a consul." Quinctius answered, that the consuls were blamed without reason, because being cramped by the laws made concerning appeals, which tended to the ruin of their authority, their office did not furnish them with power equal to the inclination they had to punish that crime, according to its heinous nature. This required not only a man of resolution, but also one whose power was unlimited, and freed from all restraint of laws; for this reason he intended to make L. Quinctius Cincinnatus dictator, a person whose capacity was equal to that extensive authority." All approving his design, Quinctius at first excused himself, and began to ask what they meant by exposing one almost spent with age to such a severe conflict. But when the senators on all hands asserted, that there was not only more capacity and conduct, but also more resolution and bravery, in that aged mind alone, than in all the rest taken together, and loaded him with deserved praises, and the consul persisted in his former resolution, Cincinnatus at length having addressed himself to the immortal gods, and prayed, "That in matters of such great danger and difficulty the commonwealth might suffer no detriment or reproach on account of his old age," was declared dictator by the consul, and immediately thereafter named C. Servilius Atila for his general of the horse.

XIV. Next day, when he had set guards in proper places, he went to the forum, where the strange and extraordinary nature of his office soon drew upon him the eyes of the people; and while Mælius and his party were considering the power of this great

authority as designed against themselves, and those who were not concerned in the plot to set up a regal government, were asking one another, what insurrection or unexpected war had made it necessary to create a dictator, or set Quinctius, after the eightieth year of his age, at the head of the state? Servilius, general of the horse, sent for the purpose to Mælius, told him, that the dictator called him. Mælius, in great disorder, asked, what he wanted? The other replied, that he must make his defence in answer to an accusation which Minutius had laid against him before the senate. Upon this Mælius had recourse to a company of his own party, and at first looking round him began to retreat; but at last, when an officer, by the order of the general of the horse, attempted to carry him away, he was rescued by those that stood round him, and fled, imploring the protection of the Roman people, and earnestly intreating, that as he was oppressed by a conspiracy of the senators on account of his liberality to them, they would now stand by him, when exposed to the greatest extremity of danger, and not suffer him to be murdered before their eyes. Servilius Ahala coming up with him, as he was pronouncing these words, with great vehemence, slew him: and having placed a guard of patrician youths about him, he returned to the dictator smeared with the blood of the knight he had slain; and reported, that he had summoned Mælius to appear before him, but as he had repulsed the officer, and endeavoured to raise an insurrection among the people, he had inflicted upon him the punishment he deserved. Upon which the dictator said, "bravely done, Servilius, you have saved the state."

XV. And as the people fluctuated in their judgments concerning this action of Servilius, the dictator ordered them to be called to an assembly, where he declared, "that Mælius was justly slain, though he had not been guilty of aspiring to the sovereign power, because having been summoned by the general of the horse to attend the dictator he had not obeyed; he had seated himself upon his tribunal to take the affair under his own cognizance, and after trial Mælius should have had justice done according to the merits of his cause: but as he employed violent measures to screen himself from justice, the same kind of means were used to crush him. Nor ought he to have been treated as a citizen; who, though he was born among a free people governed by equitable laws, had entertained hopes of seizing the sovereign power in a city which he knew had expelled kings, and where, in the same year, the nephews of (a) a king by his sister, and the sons of a consul who had set his country at liberty, had been beheaded by



their father's order, because they had been concerned in a conspiracy to re-establish the Roman kings; where Tarquinius Collatinus a consul, merely out of aversion to his name, had been obliged to demit his office, and submit to banishment; where Sp. Cassius, some years after, was put to death for designs to seize the government; and where but lately the decemvirs for tyrannizing over the people, with the haughtiness of kings, were punished by confiscation of their estates, banishment, and death; yet this Sp. Mælius had done. And who, pray, is this Sp. Mælius? For though no noble birth, no honourable employment, nor personal merit ought to pave the way to absolute power; yet the Claudii and Cassii, who had been themselves consuls, and of the number of the decemvirs, had been tempted by the honourable employments which they and their ancestors had enjoyed, as well as by the lustre of their families, to carry their ambition to a criminal height: but it could not be considered as a greater crime, than it was an amazing instance of folly in Sp. Mælius, that he, who was but a rich corn merchant, and whose ambition might prompt him to wish for the office of a tribune of the people, rather than suggest hopes of attaining it, had flattered himself that his countrymen had sold him their liberty for a few pounds of corn, and that a people, who had conquered all their neighbours, could be prevailed on to submit to slavery by the prospect of a morsel of bread; as if the Romans could bear to have one for their king, whom they would scarce have suffered to be raised to the rank of a senator; or could calmly see such a person invested with the authority and adorned with the ensigns of Romulus their founder, who was descended of the gods, and at his death received into their number. This was not to be accounted more a crime than a monstrous instance of folly and extravagance; nor was it enough that his guilt was expiated by his blood, unless the house and walls, within which so much madness and folly had been conceived, should be demolished, and his goods, polluted by their being employed to purchase regal power, confiscated. Therefore he gave orders that the quæstors should sell all Mælius's goods, and put the price of them in the public exchequer."

XVI. Then he commanded his house to be immediately demolished, and that the place on which it stood might be a monument of the disappointment of his criminal hopes, it was called (*a*) *Equimælium*. L. Minucius was presented with an (*b*) ox with gilt horns without the gate *Trigemina* (*c*). Nor was this disagreeable to the people, because he distributed Mælius's corn among them at an (*d*) as the bushel. I find in some authors that this

Minucius went over from the patricians to the plebeians; was made the eleventh tribune of the people, and quieted the tumult occasioned by the death of Mælius. But it is scarce credible that the fathers would have suffered the number of the tribunes to be augmented, or that a patrician should have given the precedent, and yet the people should not have retained a privilege once granted them, or at least endeavoured it. But the principal confutation of the (*e*) false inscription, which was found upon Minucius's statue, is taken from the law made a few years before, whereby it was provided that the tribunes should not be allowed to chuse a colleague. Q. Cecilius, Q. Junius, and Sex. Titinius, were the only persons of the college of tribunes who had never consented to the law made for conferring honours upon Minucius, nor ceased to accuse sometimes Minucius, at other times Servilius to the people, and to complain of the undeserved death of Mælius. By this means they carried that the comitia for electing military tribunes, rather than that for electing consuls, should be held that year, not doubting but if six, the number of military tribunes which the laws allowed, were chosen, some plebeians, by promising to revenge the death of Mælius, would get themselves elected. The people, though distracted by many and various storms, elected no more than three tribunes with consular power; and among them L. Quinctius, the son of Cincinnatus, whose dictatorship, as it was odious to the people, the tribune endeavoured to make a handle for promoting confusion. Mamercus Æmilius, a man of great worth, had more votes than Quinctius, and L. Julius, was the third.

XVII. During their administration, Fidenæ, a Roman colony, revolted to the Veientes, and Lar (*a*) Tolumnius their king. This revolt was attended by a crime more shocking; for by Tolumnius's order they put to death the Roman ambassadors, C. Fulcinus, Clælius Julius, Sp. Nautius, and L. Roscius, who came to demand the reason of this sudden revolution. Some give a more favourable representation of the king's part in this tragedy, pretending that the death of the ambassadors was owing to an equivocal expression he used upon occasion of a lucky throw of the dice, which the Fidenates misunderstood for an order to murder them. But it is quite absurd to imagine the king so intent upon his game, that the coming of the Fidenates, his new allies, to consult him about a murder so contrary to the laws of nations, could not divert his thoughts from it, and that afterwards he should not express his detestation of that deed. It is more reasonable to think, that he intended to secure the Fidenates to his

interest by the guilt of so heinous a crime, which must effectually cut them off from all hopes of a reconciliation with the Romans. The statues of the ambassadors who were slain at Fidenæ were erected in the rostra, at the public expence. And as there was a prospect of their coming soon to a bloody battle with the Veientes and Fidenates, who not only bordered upon their frontiers, but also had in effect begun the war, by giving such a shocking provocation to attack them; therefore the people and tribunes giving no disturbance, that all ranks might equally exert themselves for the safety of the state, M. Geganius for the third time, and S. Fidenas were chosen consuls without opposition. I am of opinion, that this last had the surname of Fidenas, from the war which he afterwards carried on: for he was the first who fought against the king of the Veientes on this side of the river Anio, and gained the battle. But this victory was purchased at a great expence of blood, so that the concern of the Romans for the loss of their countrymen was greater than their joy for the defeat of their enemies. And the senate, apprehending the state to be in danger, ordered Mamercus Æmilius to be made dictator. He named for his general of the horse L. Quinctius Cincinnatus, a youth worthy of his great father, and Mamercus's colleague the preceeding year, when they both served as military tribunes with consular power. The old centurions, skilled in military affairs, had the command of the recruits newly raised by the consuls, the places of those who were slain in the late battle were supplied; and the dictator ordered Quinctius Capitolinus and M. Fabius Vibulanus to attend him in the quality of lieutenant-generals. The enemy, considering that they had to do with a person whose authority was unlimited, and his capacity equal to his extensive power, removed out of the Roman dominions, passed the Anio, and retiring still farther, possessed themselves of the mountains which lye between the river and the city of Fidenæ; nor did they venture down into the plains till the legions of the Falisci came to their assistance. Then the Heturians pitched their camp before the walls of Fidenæ; and the Roman dictator posted himself at a small distance from them upon the banks of the two rivers near their confluence, drawing lines along the intermediate space, where the nature of the place admitted of fortification. The next day he drew out his army and offered battle, but the enemy differed in their sentiments.

XVIII. The (a) Falisci, impatient of the fatigues of war, at a distance from their own country, and confiding in their strength, demanded a battle; but the Veientes and Fidenates placed their

greatest hope in protracting the war. Though Tolumnius rather approved of the sentiments of his own subjects, yet that the Falisci might not be disgusted by tedious expeditions so far from home, he gave out that he would lead them to the field next day. The enemy's declining battle gave fresh spirits to the dictator and his Romans; and the day after the soldiers threatening, that if the Veientes would not give them battle, they would storm their camp and city, both armies were drawn out to a plain lying between the two camps. As the king of the Veientes had a very numerous army, he sent a party to fetch a compass round the mountains, and attack the Roman camp while both armies should be engaged in battle. The army, composed of the three confederate nations, was so drawn up in the line of battle, that the Veientes had the right wing, the Falisci the left, and the Fidenates the centre. The dictator on the right wing of the Roman army advanced against the Falisci, Capitolinus on the left against the Veientes, and the general of the horse with his cavalry in the centre, opposite to the main body of the enemy. For a short space of time the armies stood without motion, and there was silence on both sides, because the Hettrurians were determined not to begin the battle till they should be attacked; and the dictator was looking back to the Roman capitol for the signal the augurs had agreed to set up as soon as the birds should give a favourable omen. This signal he no sooner observed than he sent out the horse to attack the enemy, with a great shout; they were supported by the whole body of infantry, who fought with great fury. In no part could the Hettrurian legions stand the shock of the Romans; but their horse made a vigorous resistance, and the king himself, the bravest of them all, riding from place to place, while the Romans closely pursued him every where, still kept the field and maintained the fight.

XIX. At this time there was among the cavalry a (*a*) military tribune named A. Cornelius Cossus, very remarkable for the gracefulness of his person, yet no less distinguished by his courage and strength of body, and zealous for the honour and reputation of his family, which though exceeding great when it descended to him from his ancestors, he left to his posterity with great improvements. This Cossus observing the Roman troops trembling at the approach of Tolumnius wherever he attacked them, and distinguishing him from the rest by the royal robes in which he fluttered along the whole line of battle, said, "Is this the person who breaks human treaties, and tramples upon the law of nations? I shall soon, if the gods would have any virtue or sanctity to be

on earth, offer him up as a sacrifice to the ghosts of our ambassadors." This said, he put spurs to horse, and resting his hostile spear, singled out the king from all the rest for his peculiar adversary, and having by one blow brought him to the ground, immediately by the help of his lance sprung from his horse. As the king was rising he threw him again upon his back with the boss of his buckler, and after several wounds nailed him to the ground with his spear. Then the conqueror stripped the slain, cut off his head, and as he carried it about upon his spear, their king's death struck terror into the breasts of the enemies and put them into disorder; thus the horse, who alone had disputed the victory, were also put to flight. The dictator pursued the flying legions, and drove them back to their camp with great slaughter. Many of the Fidenates, being acquainted with the country, fled to the mountains. Cossus passed the Tiber with his command of horse, and brought a very large booty out of the dominions of the Veientes to the city. During the battle there was also a skirmish at the Roman camp against the party, which, as we have already observed, Tolumnius had sent thither. Fabius Vibulanus at first defended the lines by planting (*b*) his men round them; but afterwards sallying out of the (*c*) gate on the right side of the principia with the triarii, he surprised the enemy as they were eagerly bent upon forcing the lines, and by this means put them into disorder; but the slaughter was not so considerable as in the battle, because the number was not so great, though the rout was no less general and disordered.

XX. Thus the Roman army having been every where successful, the dictator, by order of the senate, and the suffrages of the people, returned to the city in triumph; but the sight which, in all this triumphal procession, gave by far the greatest entertainment was Cossus carrying the spoils of the king whom he had slain with his own hand. The soldiers sung unpolished verses to his honour, wherein they equalled him to Romulus. He hung up the spoils in the temple of Jupiter Feretrius, near those of Romulus, which were the first, and at that time the only spoils, that bore the name of opima, presenting them to that god with a solemn dedication. All this time he drew the eyes of the citizens from the dictator's chariot, fixed them upon himself, and had almost all the honour of that day's solemnity. The dictator, by the people's order, presented to Jupiter Capitolinus a crown of gold of a pound weight, at the public charge. After the example of all the authors, I have said that A. Cornelius Cossus, when a military tribune, brought the second spolia opima into the temple

of Jupiter Feretrius. But besides that these only are, in strict propriety, called *opima spolia*, which one general takes from another, and we acknowledge none to be a general but the person who has the sole conduct of the war; the very inscription of these spoils prove against them and me that Cossus was consul when he took them: therefore when I was informed that Augustus (*a*) Cæsar, who either built or repaired all the Roman temples, had gone into that of Jupiter Feretrius, which he rebuilt after it was fallen to ruin by the injuries of age and time, and read the inscription upon the linen breast-plate of Tolumnius; I deemed it next to sacrilege to deprive Cossus of the testimony of his own spoils, and of Cæsar who rebuilt the temple. I leave all my readers to judge for themselves, whether there is a mistake in those ancient annals and those linen books of magistrates, deposited in the temple of Moneta, so often quoted by Licinius Macer, which make no mention of Cossus's consulship till nine years after this, when Titus Quinctius Pennus was his colleague: for it also happens that this battle cannot be put off till that year, because for almost three years before and after the consulate of A. Cornelius there was no war on account of a pestilential distemper and a dearth of corn: so that some annals as it were observing a kind of mournful silence, mention not any thing in their account of those years but the bare names of the consuls. The third year after his consulship Cossus was made military tribune with consular power, and before the end of it master of horse, in which station he fought another memorable battle at the head of his cavalry; but in this matter every man, as I have said, is left at liberty to judge for himself. Though in my opinion, we may justly account all the different opinions upon the subject trifling and precarious: since the person who commanded in this battle when the spoils were fresh and reposed in the temple, near Jove himself, to whom they were devoted, and looking at Romulus, two witnesses that were not to be mocked and insulted with a false inscription, calls himself **AULUS CORNELIUS COSSUS THE CONSUL**.

**XXI.** In the consulship of M. Cornelius Maluginensis and L. Papirius Crassus, the Roman armies marched into the dominions of the Veientes and Falisci, and brought out of them a large booty of their people and cattle; but the enemies could not be found in the fields; nor had they any opportunity of engaging them in battle. Yet they did not lay siege to their towns, because a pestilential disease had broke out among the people; and Sp. Mælius, a tribune of the people, endeavoured to raise disturbances,

at home, though without success. This Mælius, thinking the popularity of his name would enable him to raise some great commotion, had impeached Minucius, and brought in a bill for confiscating the goods of Servilius Ahala, pretending that Mælius had been over-powered by false accusations, and loading Servilius with the guilt of putting a citizen to death, before he was condemned. These impeachments made not so great impression upon the people as the author of them. But their thoughts were employed on the violence of the distemper, which daily increased; and terrible appearances and prodigies, especially on the accounts that were brought, that houses in the country were demolished by frequent shocks of earthquakes. Therefore they had recourse to solemn prayers, which the *duumviri* dictated word by word to the people. Next year, when the consular power was lodged with C. Julius for the second time, and L. Virginus, the pestilence still raging with greater fury, suggested such apprehensions of desolation both in town and country, instead of sending out parties to plunder, both senators and people dropped all thoughts of making war upon their neighbours; and even the *Fidenates*, who at first had kept themselves in the mountains, towns, or fortified places, made a descent upon the Roman dominions, without any provocation, to ravage their country. Soon after having got the army of the *Veientes* to join them; for neither the disasters of the Romans, nor the earnest solicitations of their allies, could prevail upon the *Falisci* to renew the war, these two confederate nations past the Anio, and displayed their colours near the Colline gate. The general consternation which this produced in the country was not greater than that which it occasioned in town. Julius the consul drew up his troops on the walls and rampart of the city. Virginus consulted the senate in the temple of Romulus, where it was resolved that the dictatorial power should be conferred on A. Servilius, who, according to some authors, had the surname of Priacus, and to others, that of Strucius. Virginus waited only till he should have an opportunity of consulting his colleague; and having obtained his consent, named the dictator, who declared Posthumus Æbutius general of the horse.

XXII. The dictator gave orders that all should present themselves to-morrow by break of day at the Colline gate, which was punctually obeyed by those that were able to bear arms; and the standards were brought him out of the treasury with great dispatch. Mean time the enemies retired to the eminences. The dictator pursued them with his enraged army; and having given

them battle near Nomentum, put the legions of Hetruria to flight, drove them thence to the city of Fidenæ, and blocked them up in it. But as that city stood on a great eminence, and was well fortified, its walls could not be scaled, nor could the blockade be of any service, because they had not only corn enough for supplying the present necessity, but also large stores provided beforehand; therefore having lost all hopes of storming the city, or obliging it to surrender, the dictator resolved to carry a sap into the citadel from places well known, because of their near situation, on the backside of the town, where it was guarded with least care, because most strongly fortified by nature. Mean time having divided his army into four parts he attacked the walls in places the most distant from one another; and sending constant supplies of fresh men to relieve those who were wearied, continued to skirmish with the townsmen day and night. By these means he kept the enemy from perceiving the works which he was carrying on, till having digged quite through the mountain, a passage was made all the way from the camp up to the castle, and till the Hetrurians, diverted from real danger by providing against impotent menaces, had a certain proof that their town was taken from the shouts of the enemy over their heads. This year C. Furius Pacilus and M. Geganius Macerinus being censors, approved of the villa publica (a) in the campus martius, and the census was performed in it for the first time.

XXIII. I find in Licinius Macer that the same consuls were chosen for the next year, viz. C. Julius for the third time, and L. Virginus for the second. Valerius Antius and Q. Tubero say, that Marcus Manlius and Q. Sulpicius were consuls that year. Yet notwithstanding the great difference between them, both pretend the authority of the linen books: and neither of them refuses, that ancient authors have asserted, that the administration of affairs was in the hands of military tribunes. Licinius chuses to follow these linen records with absolute confidence; Tubero owns himself at a loss how to discover the truth; but among other things which antiquity has involved in darkness and obscurity, this is also a point which must be left undetermined. The taking of Fidenæ spread a general consternation over all Hetruria; for not only the Veientes dreaded the same fate, but also the Falisci, when they recollected that they had joined them in their first war, though they were not concerned in their second attempt against the Romans. Therefore these two states having sent ambassadors to the twelve nations, prevailed with them to appoint a general meeting of all Hetruria, at the temple of Voltumnæ



(a); and the senate apprehending from this some great impending storm, ordered Mamercus Æmilius to be a second time created dictator. He named A. Posthumius Tubertus general of the horse, and preparations were made for the war, with so much the greater vigour than upon occasion of the former attempt of the Veientes and Fidenates, as all Hetruria was more formidable than two particular nations of it.

XXIV. But this affair did not raise such disturbance as was generally apprehended from it. Therefore when the merchants brought accounts that the Hetrurians had refused their assistance to the Veientes, and bid them carry on, by their own force, a war they had begun without the advice of their neighbours, and not seek to make those share in their misfortunes, whom they would not allow to partake in their hopes, during the flourishing state of their affairs; the dictator, that he might not seem to have been elected in vain, seeing himself deprived of an opportunity of acquiring military glory, and having an ambition to perform something in time of peace, that might be a monument of his dictatorship, resolved to reduce the privileges of the censors' office, either because he thought their power too great, or because he was not so much offended with the greatness of the honours they enjoyed, as with the continuance of them. Therefore having called an assembly, he said, "that as the immortal gods had undertaken to manage the affairs of the state abroad, and preserve it from foreign enemies, he resolved to exert himself for securing the liberty of the Romans; which could only be done, within the walls of the city. He was also persuaded, that the most effectual means of its preservation would be, to take care, that offices of great power should not continue long in the same hands, and set bounds to the duration of these civil employments, whose powers can admit of no limitation. Other officers of state were annually chosen, but the authority of the censors lasted no less than for five years; and it was a grievance to pass so considerable a part of life, exposed to the power of the same persons. Therefore he intended to propose a law to-morrow, that the censors' office should not continue above a year and a half." Next day the law passed, with a very great concurrence of the people; and then the dictator added, "that you may be fully convinced, Romans, how much I am dissatisfied with offices of long continuance, I renounce my dictatorial power." Having thus, by divesting himself of his own authority, set bounds to one office, and put an end to another, he was conducted to his house with vast applauses of the people, and uncommon testimonies of their

approbation. The censors highly resenting Mamercus's conduct, in reducing the duration of a Roman office, degraded (*a*) him from his tribe, and made him pay into the treasury a fine equal to eight times his proportion of taxes. We are told that he bore this indignity with great resolution, regarding the cause which had drawn it upon him more than the indignity itself; and though the fathers were not for reducing the privileges of the censors, yet they were offended at this instance of their severity, because they considered, that every particular senator must be oftener and longer exposed to the oppression of the censors, than he should have access to serve in that station himself: but whatever be in this, it is certain the people were so enraged, that none but Mamercus himself had interest enough to divert them from laying violent hands on the censors.

XXV. The tribunes of the people, by holding daily assemblies, having put off the comitia for electing consuls, till matters were almost brought to an interregnum, at last carried their motion for choosing military tribunes with consular power: yet lost the reward they expected from their victory, for no plebeian was chosen, but all patricians, viz. M. Fabius Vibulanus, M. Fossius, and L. Sergius Fidenas. A pestilence which raged this year gave relief from other troubles. A temple was vowed to Apollo for the health of the people. The *dumviri*, as they were directed by their books, had recourse to many expedients for appeasing the anger of the gods, and rescuing the people from the pestilence. But after all, the distemper made great havoc both in town and country, not only among the inhabitants, but also among their cattle; so that fearing the losses the farmers had sustained would expose them to a famine, they sent to *Hetruria*, *Pontinum*, *Cumæ*, and last of all to *Sicily*, for corn. There was no motion for holding the consular comitia; but L. Pinarius Mamercinus, L. Furius Medullinus, and Sp. Posthumius Albus, all patricians, were chosen military tribunes with consular power. This year the violence of the pestilence abated, nor were the people in danger of famine, because provision had been already made for them. But the *Volsci* and *Æqui* in their councils of state, and the *Hetrurians* in a general diet held at the temple of *Voltumna*, were concerting measures for making war upon their neighbours. However they put it off for a year, and made a decree, that no general diet should be held before that time; notwithstanding the complaints of the *Veientes*, that their city would soon feel the severity of the same misfortune, which had reduced *Fidenas* to ruins. Mean time the leading men among the plebeians, who

had now for a long time, but with no success, amused themselves with hopes of being raised to places of greater honour, while there was a respite from foreign war, began to hold meetings in the tribunes' houses. There they entered into secret consultations, and complained, "that they were so much neglected by the people, that, though military tribunes with consular power had been elected for a great many years, yet no plebeian had been ever admitted to that honour. Their ancestors must have been masters of great foresight and penetration, who had expressly provided that no patrician should enjoy an office among the plebeians, otherwise they would before now have been tribunes of the people, so despicable were the commons now become to persons of their own rank, that they were held in equal contempt by the senators and people." Others excused the people, and threw all the blame upon the patricians, pretending, "it was owing to their intrigues and sly practices, that the way to honourable employments was hedged in from the commons. And if the people were left to themselves, or had respite from the solicitations and threats of the patricians, they would, in giving their voices, remember their friends of their own rank, and having once given their assistance, would also raise them to the highest power." Upon this it was agreed that to prevent intriguing, the tribunes should bring in a bill, that for the future no person should be allowed to use arts for (*a*) whitening his robes on account of standing candidate for any office. This may be now thought a very inconsiderable cause of contention, and the contending parties may scarce seem to have been in earnest; yet at that time it raised a very warm dispute between the senators and the people; but the tribunes had the better, and got the law past. And as it appeared that the minds of the people, being now fretted, they would be biassed in favour of their own party, that they might not have it in their power to prefer them, the senate enacted, that the comitia for electing consuls should be held this year.

XXVL The excuse for this resolution was the information received from the Latines and Hernici, that the Volsci and Æqui were in motion. T. Quinctius Cincinnatus, the son of Lucius who had the surname of Pennus, and C. Julius Mento were made consuls. Nor was that dreadful war any longer delayed; for the enemies having mustered their forces, by means of a sacred (*a*) law, which among them was the most effectual means of raising an army, each nation led a powerful body of men to Algidum, the place of rendezvous, where the Volsci and Æqui fortified two separate encampments; and their generals bestowed greater

care in securing their lines and training their men than they had observed on former occasions. The accounts of all this made the consternation at Rome so much the greater. The senate were for creating a dictator; because though these nations had been formerly often defeated, they now renewed the war with greater vigour than ever; and some considerable part of the Roman youth had been cut off by an epidemical distemper. But what alarmed them most was the obstinacy of the two consuls, the misunderstanding that was between them, and their thwarting one another in every measure. Some write that these consuls lost a battle at Algidum, and that this was the reason assigned for chusing a dictator. Be this as it will, it is very certain that, however they differed in other things, they agreed in opposing the senate's motion for naming a dictator, till the accounts of the war growing more dreadful, and the consuls continuing in their opposition to the senate, Quintus Servilius Priscus, who had enjoyed the highest honours of the state with great reputation, addressing himself to the tribunes of the people, said, "Now that matters are carried to the extremity, the senate calls upon you, tribunes of the people, that considering the great danger to which the state is exposed, you would exert your power and oblige the consuls to name a dictator." Upon hearing this, the tribunes thinking an opportunity presented them for enlarging their power retired, and soon after declared in the name of their college, "that it was their pleasure the consuls should obey the senate, and if they continued any longer to oppose the unanimous resolution of the most august order, they would command them to be carried to prison." The consuls chose to submit to the tribunes rather than the senate; exclaiming that the privileges of the supreme authority were betrayed by the fathers, and the consulate subjected to the yoke of the tribunician power; seeing this was acknowledging that a tribune had power to force the consuls to do what he pleased, and even could order him to prison, which was the worst a private man had to fear. T. Quinctius having gained the privilege of naming the dictator, by lot, for even this the colleagues could not settle amicably between themselves, chose A. Posthumius Tubertus, an austere imperious man, who was his father-in-law; and this last named L. Julius for general of the horse. Immediately a vacation was proclaimed, and nothing minded all over the city but preparations for war. An enquiry into the claims of those who pretended (*b*) exemption from serving in the army was put off till the war should be ended. So that those whose title was doubtful were inclined to let themselves be enrolled. Troops were

also demanded from the Latines and the Hernici; and both nations obeyed the dictator's orders with great activity and diligence.

XXVII. These things being performed with great expedition, the dictator left C. Julius the consul to defend the city, and L. Julius, general of the horse, to provide for the sudden exigencies of the war, that the expedition might not be delayed on account of any thing they should happen to want in the camp; then he vowed, in words dictated to him by A. Cornelius the pontifex maximus, to celebrate magnificent games on account of the present tumult. And having given the command of one half of his army to the consul Quinctius, he marched out of the city, and soon came up with the enemy. As they observed them disposed into two encampments, at a small distance from one another, they likewise encamped about a mile from them, the dictator posting himself at a place lying towards Tusculum (*a*), and the consul at one towards Lanuvium. Thus there were four armies, and as many fortified camps, with a plain lying between them, not only large enough for skirmishes between small parties, but for drawing up the opposite armies in their lines of battle. Nor from the time that they encamped in the neighbourhood of one another, did a day pass without some small engagements, the dictator cheerfully allowing his men to compare their strength with that of the enemy, that the issue of these skirmishes might gradually train them to hopes of victory in a general battle. In consequence of this, the enemy having lost all hopes of success in the field, attacked the consul's camp in the night, and put their all to hazard, upon the prospect of a very uncertain event. The sudden shouts they raised, not only alarmed first the consul's guards, and then his whole army, but also waked the dictator. In cases of immediate danger, the consul was never at a loss for courage nor good conduct. A party of the troops were ordered to reinforce the guards at the gates, and others to post themselves round the rampart. In the other camp where the dictator commanded, as there was less confusion, so he had the better access to consider what the present exigence required. Therefore having immediately sent a reinforcement to the consul's camp, under the command of his lieutenant-general Sp. Posthumius Albus, he himself with a part of his army, making a small circuit, marched to a private place at a distance from the fray, from whence he might have an opportunity to fall on the enemy's rear, before they could be aware of his coming. Q. Sulpicius, his lieutenant, he left to command in the camp; and put M. Fabius, another of his lieutenants, at the head of a

party of horse, with orders not to stir before day-light, because such bodies are not easily managed in the night time. In a word, he omitted nothing which any wise and active commander whatever would have thought proper to order or execute upon such an occasion. But he gave an extraordinary proof of his courage and good conduct, which ought to be celebrated with uncommon praises; in sending M. Geganius with a detachment of select troops, to attack one of the enemy's camps, whence he had certain information they had marched in greatest numbers against the consul. Geganius fell upon them as their attention was entirely fixed upon the danger to which others were exposed, and their security about their own safety so great, that they neglected to set proper guards and sentries, and had very near made himself master of their camp before they were sufficiently sensible that they were attacked. Then, by raising a smoke, according to concert, he gave the signal, which the dictator no sooner observed, than he cried out, the enemy's camp was taken, and ordered the news of it to be spread throughout the army.

XXVIII. By this time it was day-light, and every thing exposed to view. Fabius with his horse had made his attack, and the consul had sallied out of his camp upon the enemy, who by this time were quite dispirited. The dictator, on the other hand, had fallen upon their second line and body of reserve, so that when they looked about, as the confused clamour and noise pierced their ears, they discovered the victorious horse and foot of the Roman army posted quite round them. And as they were thus hemmed in and beset on every side, they must all, without exception, have suffered the just punishment of their rebellion, had not Vectius Messius, one of the Volsci, more renowned for his great exploits than his family, observing his countrymen (*a*) turning round and staring about them, and much blaming their conduct, addressed them with an audible voice in these words: "Do you intend," said he, "to expose yourselves here to the enemy's darts, without making provision for your own defence, or thinking of revenge? To what purpose then have you arms? Or why did you, without provocation, begin this war? Shall it be said, you are turbulent in time of peace, and cowards in war? Do you think any god will appear for your protection, or snatch you out of this danger? No! you must make your way with your swords; all you who want to see your houses, your parents, your wives, or your children, imitate the example which I shall set you, and follow me. Your way is not obstructed by walls and ramparts, but armed men like yourselves; you are equal to

your enemies in valour, but have the advantage in point of necessity, which is the last as well as the most effectual armour." Having thus spoke, he applied himself to the execution of his purpose. The Volsci followed him with a fresh shout, briskly attacked their enemies in the place where Posthumius Albus had posted his troops, and made the conquerors give way, till the dictator came up to the relief of his men when they were retiring, and the whole fury of the battle centered in that single spot. The enemy's fortune entirely depended upon Messius, and there were many wounds and great slaughter on both sides. Now the blood even of the Roman generals flowed as they fought. But Posthumius, whose skull was fractured with a stone, was the only person that retired from his post: neither the dictator, though he was wounded in the shoulder, Fabius, whose thigh was well nigh pinned to his horse, nor the consul, though he had lost his arm, would quit the battle at such a dangerous juncture.

XXIX. In this attack, Messius with a company of the bravest youth, made their way over the bodies of the slaughtered enemies, and got safe to that camp of the Volsci which was not yet taken. The whole Roman army moved that way. The consul pursued the flying enemy to their lines, and endeavoured by forcing them, to make himself master of the camp. The dictator also assaulted them in another place, nor did they fight here with less fury than they had done in the field of battle. It is also said that the consul threw the colours over the rampart that the soldiers might advance with the greater vigour, and that the first direct attack was made to recover them. By this time the dictator also had made a breach and begun a battle within the camp. Then the enemy every where began to lay down their arms and surrender themselves, and this camp as well as the other being taken, all the prisoners, senators excepted, were sold for slaves. A part of the spoil which originally belonged to the Latines and Hernici was restored to the first proprietors who knew their own effects, the rest the dictator sold by auction: and having left the consul to command in the camp, he entered the city in triumph, and laid down his office. They tarnish the memory of this glorious dictatorship who say that A. Posthumius caused his son to be beheaded, because the youth, observing an opportunity of fighting to advantage, left his post, and returned victorious. I do not chuse to give credit to it, and yet finding authors are divided upon this subject, those who are so disposed may believe it. The argument upon which I found my opinion is, that such instances of severity are called by a common proverb the orders of Manlius.

not of Posthumius, and yet the person, who first gave such a rigid precedent, would have thereby secured to himself this remarkable brand of cruelty. Manlius was also surnamed the imperious, but Posthumius was never distinguished by any mark of inhuman severity. C. Julius the consul, in the absence of his colleague, dedicated the temple of Apollo without casting lots. This very much displeased Quintius, and therefore when he had discharged his army and returned to the city, he complained of it to the senate, but obtained no redress. In this year, so remarkable for grand events, historians also take notice of a circumstance which at that time seemed to have no relation to the Roman affairs, viz. the Carthaginians (*a*), who in time were to become such implacable enemies to Rome, taking advantage of the divisions which prevailed in Sicily, first sent an army into that island to assist one of the parties.

XXX. In the city the tribunes of the people caballed to have military tribunes with consular power, created for the next year, but without success. L. Papirius Crassus, and L. Icilius were elected consuls. The ambassadors of the *Æqui* having petitioned the senate for a treaty, and, upon that consideration, given them hopes that they would entirely subject themselves to the Romans, they obtained a suspension of arms for eight years. The disaster which the *Volsci* had received upon mount *Algidum*, divided their state into parties, and produced high words and contentions between those who had been for the war, and those who had advised peace, so that the Romans were now at peace with all their neighbours. The consuls having discovered, by one of the tribunes who betrayed the secret, that their colleagues were preparing a law for fixing the extent of fines (*a*), which would be exceedingly acceptable to the people, they prevented them by making the first motion for it themselves. The next consuls were L. Sergius Fidenas for the second time, and Hostus Lucretius Tricipitinus. Nothing occurs during their administration that deserves to be mentioned. They were succeeded by A. Cornelius Cosens and T. Quintius Pennus consul for the second time. The *Veientes* made inroads into the Roman lands. It was also reported that some of the youth of Fidenas were concerned in these depredations. L. Sergius, Q. Servilius, and Mamercus *Æmilius*, were deputed to take this affair under their cognizance. Some of the persons accused were banished to Ostia, because they could not give a satisfactory account of their absence from Fidenas on the days when these incursions were made. An additional number of planters were sent to the Roman colony in that city, and the lands of those



that had been slain in the war were assigned them. This year the country was much distressed by an uncommon drought; for not only the rains were restrained, but also the earth, drained of its native moisture, could scarcely supply the large rivers. In other places near the fountains and small rivulets which were quite parched up, the want of water made great havoc among the cattle, which in great numbers died from thirst. Others of them were cut off by the murrain. From them the infection began to spread among the people, and first raged among the countrymen and slaves, soon after the city swarmed with sick. Nor were their bodies only seized with the infection, but their minds were also disordered with various superstitions, and these generally of foreign kinds. Some persons who made it their business to enrich themselves, by taking advantage of scrupulous minds, pretended to the gift of prophecy, and by that means introduced into families new rites in offering sacrifices, until the principal men of the state observing in all the streets and chapels, foreign and uncommon expiatory sacrifices for recovering the favour of the gods, came to be concerned for the reputation of the public. Upon this the ædiles had orders to take care that none but the Roman gods should be worshipped, and these in no other manner than that established by the custom of the country. The public resentment against the Veientes was put off till the next year, when C. Servilius Ahala and L. Papirius Mugillanus were consuls. And even then a scruple of conscience prevented their proceeding immediately to declare war, and march armies against them, it being thought necessary that the Feciales should be first sent to demand the effects they had carried off. The Romans had lately fought with the Veientes at Nomentum and Fidene. After that they had agreed upon a cessation of arms, but no treaty of peace. Even this truce was expired, and before that time they had renewed the war. Yet the Feciales were sent, but no regard was had to their words, when after swearing according to the custom of their ancestors, they demanded the things belonging to their state. After all it was disputed whether the war should be declared by order of the people, or whether an act of the senate was sufficient. But the tribunes, threatening to obstruct the levies, obliged the consuls to refer the matter to the people. Upon this all the centuries voted for the war. The people also had the better in another dispute, and thereby prevented the election of consuls for the next year.

XXXI. Four military tribunes with consular power were elected, viz. T. Quinctius Pennus, who had formerly been consul,

C. Furius, M. Posthumus, and A. Cornelius Cossus. Of these Cossus had the command of the city. After recruiting the army the other three marched to Veii, and gave a clear proof, how prejudicial it is in war, to have the command of an army lodged in several persons; for as they differed in their sentiments, and every one endeavoured to have his own plan put in execution, they gave the enemy an opportunity to take them at a disadvantage. And while the army were at a loss for want of distinct orders, some of their generals commanding the signal of battle to be given, and others a retreat to be sounded, the Veientes very seasonably for their purpose fell upon them; and having put them into disorder, obliged them to fly for sanctuary to their camp which was hard by. By this means their disgrace was more considerable than the loss they sustained. However the state, as it was unacquainted with such disasters, and in great affliction, expressed its aversion to the government of military tribunes, demanded a dictator, and seemed to put their whole confidence in that officer. But as they were for some time diverted from this by a superstitious fear, that a dictator could not be auspiciously nominated but by a consul, they consulted the augurs, who removed that scruple. A. Cornelius named Mamercus Æmilius dictator, who in his turn named him general of the horse. So that as soon as the circumstances of the state required a man of true merit, to be placed at the helm, the punishment inflicted by the censors could have no influence to prevent their choosing a supreme magistrate out of a family which had been unjustly disgraced. The Veientes elated by their success sent ambassadors to all the nations of Hettruria; and though they could not, by boasting that they had routed three Roman generals in one battle prevail with any of these states openly to espouse their cause, yet the hopes of plunder brought them volunteers from all parts. The Fidenates were the only people that chose to renew the hostilities; and as if they had thought it unlawful to commence a war without some heinous crime, as they had formerly put to death the Roman ambassadors, so having upon this occasion first polluted their arms with the massacre of their colony at Fidenæ, they joined the Veientes. Upon this the principal men of the two nations consulted together whether they should make Veii or Fidenæ the seat of the war; and having agreed that Fidenæ was the most proper scene, the Veientes passed the Tiber, and transported the war to that place. This raised a great consternation at Rome, therefore having recalled from Veii their army which was much dejected on account of the late miscarriage, they pitched

a camp before the Colline gate, posted armed men round their walls, proclaimed a vacation in the forum, and shut up the shops, so that in every respect it resembled a camp more than a city.

XXXII. Then the dictator sending public criers through all the streets, summoned the people while they were in this fright to assemble, and reproved them "for suffering their minds to be so much alarmed at the most inconsiderable frowns of fortune, that they should, upon receiving a small loss, which after all was not owing to the bravery of the enemy, nor the ill behaviour of the Roman army, but a difference which prevailed among their commanders, be afraid of the Veientes, an enemy they had six times conquered, or the city of Fidenæ, which they had almost taken oftener than they had laid siege to it. The Romans and their enemies were the same they had been for so many ages, with the same measure of courage and strength of body, as well as the same arms they had before. He was also the same Mæmercus Æmilius, who in the same character of dictator, had routed the united armies of the Veientes, Fidenates, and Falisci, at the battle of Nomentum. And A. Cornelius, who in the character of military tribune, had in the former war slain Lars Tolumnius king of the Veientes, in the sight of both armies, and brought the opima spolia into the temple of Jupiter Feretrius, would now, in the station of general of the horse, exert the same bravery in battle, which he had discovered on that occasion. They ought therefore in taking their arms to remember, that triumphs, spoils and victory were on their side, whilst the enemy had nothing on theirs but the heinous crimes of murdering ambassadors contrary to the law of nations, the massacre of the Roman colony at Fidenæ, in a time of profound peace, the breach of treaties, and seven unsuccessful rebellions. When both armies should once take the field, he was very confident, the joy of their most impious enemies on account of the disgrace which had befallen the Roman army would be but short, and the people of Rome would be fully satisfied, how much better they had deserved of the state, who had created him dictator a third time, than they who, because he put an end to the kingdom of the censors, had cast a slur upon his second dictatorship." Having pronounced this speech, and made proper vows, he marched with his army, and posted himself on this side of Fidenæ, having his camp flanked on the right by the mountains, and on the left by the Tiber. He ordered T. Quinctius Pennus, his lieutenant-general, to take possession of the mountains, and posted himself upon that ridge which lay concealed behind the rear of the enemy's

army. Next day, when the Hetrurians, elated with their success in the former engagement, which was more owing to the favourable opportunity than their own behaviour in battle, drew out their army, he waited a little till the spies brought him notice that Quinctius had possessed himself of an eminence near the castle of Fidenæ, and then having set up his standard and drawn up his infantry, led them up at full speed to attack the enemy. Mean time he commanded the general of the horse not to engage without orders, because he would give him a signal when he should have occasion for the assistance of his cavalry, and then he hoped the remembrance of his combat with king Tolumnius, the rich oblation he had offered upon that occasion, and the thoughts of Romulus and Jupiter Feretrius, would inspire him with resolution. The legions on both sides fought with great fury. All the while the Romans, as they were animated with the keenest resentment, insulted their enemies with the opprobrious names of impious Fidenates and pilfering Veientes, upbraided them with the breach of treaties, the bloody murder of their ambassadors, the inhuman massacre of their colony, their treachery in friendship, and cowardice in open war, and thus gave full vent to their indignation by words as well as deeds.

XXXIII. They had by this means put the enemy into some disorder at the very first onset, when on a sudden a new and extraordinary kind of army, never heard of before this time, sallied out at the gates of Fidenæ. It consisted of a vast number of men armed with fire, and shining with the flames of burning torches, who, with a kind of enthusiastic rage, furiously encountered their enemies, and for a short time this uncommon method of fighting put the Romans into a fright. Upon this the dictator, animating the battle by calling Quinctius from the mountains, and ordering the general of the horse to engage, ran himself to the left wing, which, terrified at an appearance more resembling a conflagration than a battle, had retired from the flames, and called to them with an audible voice, "Will you then, like a swarm of bees, defeated by a little smoke, quit your ground, and yield the victory to an unarmed enemy? Why do you not extinguish these flames by the dint of your swords? Or, if we must fight with fire, and not with arms, why does not every one wrest the brands from the hands of the enemy, and turn against them their own fire? Take courage, and calling to mind the Roman name, and your own, as well as your ancestors' valour, turn this burning against the hostile city, and, by its own fire, destroy the town of Fidenæ, whose good-will you could never procure by

your favours. This is what the blood of your ambassadors and colony, as well as the ravages committed upon your dominions, demand at your hands." The whole army was so moved by the dictator's orders, that some snatched up the torches which were thrown at them, others by force wrested them out of the enemy's hands, and both armies were armed with fire. The general of the horse also made his cavalry engage in a new method. He ordered his men to take the bits from their horses' mouths, and having taken off the bridle, put spurs to his own, and was the first who drove at full speed into the middle of the fire, the other horses, put to the gallop, carried their riders at full career to the enemy; and the dust they raised, mixing with the smoke, kept the light from the eyes both of the men and their horses. But the sight which affrighted the former did not at all terrify the latter; so that the cavalry, wherever they went, made such havoc as nearly resembled that occasioned by the fall of a house. By this time a new shout was heard, which surprised and drew the attention of both armies, till the dictator cried out, that the lieutenant-general Quinctius and his men had attacked the enemy's rear; and thus said, gave a fresh shout, and renewed the charge with greater vigour. As the Hetrurians, thus encompassed by their enemies, and distressed by two armies at the same time, fighting against them in front and in rear, could neither retreat to their camp nor fly to the mountains, whence a fresh army had marched against them; and the unbridled horses had every where dispersed the Roman cavalry, the greatest part of the Veientes (*a*) fled with great precipitation to the Tiber, and all the Fidenates, who were yet left alive, to their own city of Fidenæ. Their panic fear and precipitate flight hurried the Veientes to death and slaughter. Some were slain upon the banks of the river, others driven into the water, and carried down by the stream, even those who could swim were sunk by the pain of their wounds, fatigue, and fear, and a very few, out of great numbers, got to the other side. The other part of their routed army fled through their camp into the town; thither the Romans also furiously pursued them, especially Quinctius and those who with him had lately descended from the mountains, being the freshest troops, because the battle was very near, at an end before they engaged.

XXXIV. These having entered the gate of the city together with the enemy, immediately mounted upon the walls, from whence they gave a signal to acquaint the rest of their army that the town was taken. By this time the dictator had arrived at the

enemy's camp, which they had abandoned, and the soldiers were impatient to leave their ranks, and gather the spoils of it; but as soon as he observed the signal, encouraging his men with the hopes of a greater booty in the town, he led them to the gate, and being admitted within the walls, marched directly to the citadel, whither he saw the enemies flying in greatest crowds. Nor was the slaughter less in the city than it had been in the field, until the Fidenates laid down their arms, and, asking no terms, but quarter for their lives, surrendered themselves at discretion. The town and camp were both plundered. Next day the dictator disposed of his prisoners by lot, assigning one to each of the knights and centurions, and to those who had distinguished themselves in the battle. Having sold the rest by auction, he led back his army crowned with victory and loaded with spoils, and entered the city in triumph. He then ordered the general of the horse to resign his office, and quitted his own the sixteenth day after he received it, yielding up in peace an authority with which he had been invested in time of war and great danger to the state. It is also recorded in some annals, that the Romans had a naval (*a*) engagement with the Veientes at Fidenæ; but this is as impossible as it appears incredible, for even at this day the river is not broad enough for that purpose; and yet, according to the accounts of ancient authors, it was then something narrower than it is now. Possibly the Romans may have driven off some boats which came to assist the Veientes in passing the river, and this circumstance, as commonly happens, has been magnified by those who are fond of the empty title of a naval victory.

**XXXV.** The next year the administration was put into the hands of these military tribunes with consular power, viz. A. Sempronius Atratinus, L. Quinctius Cincinnatus, L. Furius Medullinus, and L. Horatius Barbatus. A truce was granted to the Veientes for twenty years, but for three only to the Æqui, though they had demanded it for a longer term, and the city had rest from civil broils and contentions. Though the following year was remarkable neither for foreign war, nor domestic dissensions, it was, however, famous by means of the games (*a*) which had been vowed in time of war, on account of the great preparations the military tribunes made for them, and also the vast numbers which resorted to them from the neighbouring nations. The military tribunes with consular power for this year were Ap. Claudius Crassus, Sp. Nautius Rutilus, L. Sergius Fidenas and Sextus Julius Iulus. The shews gave the greater pleasure to the strangers who had come to see them with the consent of

their respective states, by reason of the kind and engaging behaviour of those who entertained them at Rome. Immediately after these diversions, the tribunes made seditious harangues to the people, wherein they severely chid them "for their stupid admiration of those whom in their hearts they hated, by which means they kept themselves in perpetual bondage; and not only dared not aspire to the hopes of sharing the consulship with the patricians, but even could not think of themselves nor their friends in the election of military tribunes, wherein they had an equal right with the senators. They should therefore cease to wonder that none studied to promote the interests of the people. Men chose to bestow their labour, and expose themselves to dangers upon prospects of profit and honour, and would attempt matters of the greatest difficulty, if their rewards were proportioned to the greatness and vigour of their endeavours. Therefore they ought neither to expect nor desire that a tribune of the people should inconsiderately involve himself in disputes attended with great danger, and no sort of advantage; disputes, by which he is sure to incur the implacable resentment and endless persecution of the senators against whom he contends, and yet can expect no farther regard or honour from the people whose interests he strives to promote. Great preferments produce great courage, and no man will undervalue himself for being a plebeian, when the commons cease to despise him on that account. To conclude, they ought to try, in an instance or two, whether any plebeian is able to bear the weight of a great office in the state; whether it is a kind of wonder or prodigy to find a man of courage or merit who derives his birth from the commons. It was carried, after a very great struggle, that military tribunes with consular power should be created, and that they might be chosen out of the body of the people. In consequence of this, men, who had distinguished themselves in the arts of war and peace, had offered themselves as candidates for that honour. But in the first years they had been insulted, rejected, and exposed to the ridicule of the senators; therefore at last they had ceased to expose themselves to these affronts. Nor could they discover a reason why even the law should not be repealed which left the people at liberty to do what it was probable would never be actually done, for it would be less shameful to be excluded from offices of state by an unjust law, than to be disregarded and neglected as unworthy."

XXXVI. Harangues of this kind heard with applause induced some plebeians to stand candidates for the office of military tri-

bune : the several candidates proposing to get different laws for the advantage of the commons passed during their administration. The people were encouraged to hope that the lands belonging to the public should be distributed among them, new colonies should be planted, and a tax laid upon the proprietors of lands to raise a fund for the payment of the army. Upon this the military tribunes watched an opportunity, when a great part of the people being out of town, the senators should be secretly summoned to return against a certain day, and, in the absence of the tribunes of the people, pass a decree, that, as it was surmised, the Volsci had marched to ravage the lands of the Hernici, the military tribunes should set out for that country to satisfy themselves concerning the truth of that report; and in the mean time the comitia should be held for the election of consuls. At their departure they left, as prefect of the city, Appius Claudius, the son of the decemvir, a young magistrate of great activity, and who had from his cradle been trained up in an habitual aversion to the people and their tribunes. Nor had these tribunes afterwards room to contend with those who had procured this act of senate, because they were absent, nor with Appius, because the scheme was laid before he was governor of the city. (a)

XXXVII. The consuls elected were C. Sempronius Atratinus and Q. Fabius Vibulanus. An event which happened this year, though foreign to the affairs of Rome, deserves however to be mentioned here; I mean that Vulturnum (a), a city of the Hetrurians, now called Capua, was taken by the Samnites, and is supposed to have had its modern name either from Capys the general of that people, or which is more probable, from its being a champaign country. But whatever be in this conjecture, the Samnites made themselves masters of it in the following manner. Having tired out the Hetrurians by a tedious war, they first prevailed upon them to admit them to settle with them in the city and its territory; and some time after the new comers, taking the advantage of a solemn festival, fell upon the old inhabitants, oppressed with sleep and feasting, and murdered them all in one night. But to return from this digression. Immediately after these transactions, the consuls already mentioned entered upon their office, on the thirteenth of December. And now not only those who were sent for the purpose had brought advice, that a war with the Volsci was upon the point of breaking out, but also the ambassadors of the Latines and Hernici gave information that that people had never upon any former occasion been more careful and active in electing generals and levying an army, and



were giving out every where, that they must now decline war for ever, forget their arms and tamely submit to the yoke of servitude, or be no longer inferior to those with whom they contended for empire in personal bravery, patience under hardships or military discipline. Nor were these accounts groundless; the senators however were not much moved by them. C. Sempronius also, who by lot had the command in that war, depended upon fortune as if she was never liable to change; and because he led the army of a victorious people against a conquered enemy, performed all the duties of his office in a careless inconsiderate manner. So that there was more of the Roman discipline in the army of the Volsci than in their own; and therefore fortune, as it has often happened on other occasions, ranged herself upon the side of merit. In the first battle, which Sempronius fought without due precaution or consideration, he engaged without forming a body of reserve to support his line of battle, and without posting his horse in a proper place. The shouts on each side first discovered the turn which matters would probably take, for that raised by the enemy was loud and constant, while that of the Romans was confused, unequal, faint, and often repeated, and by its discord betrayed the fear which prevailed in their minds. This encouraged the enemy to charge them with the greater fury, press hard upon them with their shields, and ply their glittering swords. On the other side the soldiers gazed about them, their helmets nodded on their heads, and as they were at a loss what to do, they trembled and ran together in crowds. Sometimes the colours standing still were abandoned by those who fought in the front ranks, at other times they were moved backwards, and planted amidst their own squadrons; yet they had not resolved to fly, nor had victory fully declared for the other side; but the Romans sought rather to cover themselves from the blows of their enemies than to return them, while in the mean time the Volsci advanced their standards, pressed hard upon the Roman ranks, and saw more of them slain than put to flight.

XXXVIII. And now the Romans began to lose ground every where; and the consul Sempronius in vain had recourse to reproaches and exhortations. Neither his authority nor the majesty of his person made the least impression; and they would have soon turned their backs to the enemy, had not Sextus Tempanius, a decurio of the horse, supported them by his presence of mind and ready assistance. When they were on the point of being entirely routed, this brave man cried out with a loud voice, that those of the horse, who wished the safety of the state should

immediately dismount; and as all the squadrons paid the same regard to his words as they would have done to the orders of the consul, he added, "unless this armed body of ours stop the enemy's career, the Roman empire is ruined: follow therefore my lance instead of a standard, and convince both the Romans and Volsci, that as no cavalry can equal you when on horseback, so no infantry can match you when you fight on foot." The horse expressed their approbation by a shout, and, he advancing at their head with his spear aloft, forced their way wherever they went. They covered themselves with their shields, charged the enemy where they saw their friends in greatest distress, and where they once attacked never failed to restore the fortune of the battle. Nor is there ground to doubt, but, had it been possible for such a small number of men to make head every where at the same time, the enemies must have been put to flight.

XXXIX. As their fury could not be sustained by any part of the opposite army, the general of the Volsci gave a signal to his troops to make way for this new battalion with the round bucklers, until their own forwardness should carry them so far that they could be separated from the rest of their army. This was no sooner done than the cavalry found their communication with the Roman army quite cut off by the Volsci, nor could they force their way back at the same place, the enemies having closed and extremely strengthened that part of their line: mean time the consul and the Roman legions losing sight of those who had but just before been the bulwark of the whole army, exposed themselves to all hazards to prevent the enemy's quite surrounding and overpowering such a number of brave men, while the Volsci making a double front, on the one side sustained the charge of the consul and his legions, and on the other pressed hard upon Tempanius and his horse. The latter having often attempted in vain to break through the enemy's line, and join their own army, at last took possession of an eminence, where, drawing up in a circular form, they defended themselves, so as, at the same time, to make great havock among their adversaries, and the battle lasted till night. The consul also plied the enemy without the least intermission so long as there was light, and till darkness obliged the two armies to separate without knowing which had the advantage. The terror this occasioned on both sides was so great, that leaving their wounded, and a great part of their baggage, they retired to the nearest mountains, and each party concluded themselves defeated. The Volsci however kept the eminence invested till midnight, when they were informed that their camp

was abandoned, and believing their army routed, every one shifted for himself under the covert of the darkness as the panic directed him. Tempanius for fear of an ambuscade kept his men in their post till day-light, when going out himself with a few of them to observe the motions of the enemy, he was informed by some of their wounded, that the camp of the Volsci was abandoned. Upon this he gladly called his men from the eminence and marched to the Roman camp, where he found all abandoned, and in the same desolation he had observed in that of the enemies; therefore as he knew not to what place the consul had retired, he resolved before the enemy should find out their mistake and return, to carry with him as many of the wounded as he could, and march the shortest way to Rome.

XL. The news of this unfortunate action, and that the camp was abandoned, had already reached the city. The loss of the horse especially was much lamented, and not by their own particular friends more than by the people in general. As the city was in great consternation, the consul Fabius had posted himself with a body of men before the gates, when the cavalry, observed at a distance, alarmed the citizens, as long as they knew not who they were; but soon after, when they were known by their countrymen, they converted their fear into such an excess of joy, that the whole city resounded with the shouts of those who congratulated their safe and victorious return; and those families, who but a little before had been in great affliction, and concluded their nearest relations lost, ran out of the streets in transports. Even the fearful mothers and wives forgetting decency in their excess of joy, went to meet the troops, and embraced their sons and husbands with such transports of passion and tenderness, as nearly approached distraction. Mean time the tribunes of the people who had impeached M. Posthumius and T. Quinctius, because by their means the Roman army had been defeated at Veii, thought the present resentment of the people against the consul Sempronius would furnish a proper pretext for renewing the old grudge against them. Therefore having called an assembly, and urged with great vehemence, that because the commonwealth had been betrayed by its generals at Veii, and they escaped with impunity, the consul had betrayed the army in the country of the Volsci, given up the bravest of the cavalry to destruction, and shamefully abandoned the camp. And one of them, C. Julius, having ordered the knight Tempanius to be called, in their presence addressed him thus, "Sextus Tempanius, I ask you, whether you think C. Sempronius the consul, either engaged the

enemy at a proper time, supported his line of battle with bodies of reserve, or in any respect acted the part of a good consul? Did not you, when the Roman legions were defeated, by your own address, persuade the horse to dismount, and renew the battle? And when you with the rest of the cavalry were separated from the army, did the consul come to your assistance in person, or send you relief? Had you next day any reinforcement, or did not you and your squadrons make your way to the Roman camp by your own valour? Did you find the consul or his army in the camp? Or was it abandoned by all except the wounded men who were left in it to shift for themselves? These questions you are to answer this day, upon your veracity and valour, which has been the only support of the commonwealth in the present war; and, to conclude, you are to give information where C. Sempronius and the legions are now; whether you was abandoned yourself, or abandoned the consul and the army? and whether we have gained the victory or are defeated?"

XLI. It is said that Tempanius's speech, in answer to this, was not set off with rhetorical ornaments, but grave and in the stile of a soldier, not swelled with his own praises, nor enlivened with censures upon other men's conduct. "That to pass a judgment on the military abilities of C. Sempronius his general was not his province; who was only a private officer, but that of the Roman people, who had decided the case at the comitia, when they elected him consul. For this reason they ought not to examine him concerning the plans which ought to be laid by a general for the operations of the war, nor the talents necessary for discharging the office of consul, which were points that required the serious consideration of persons of the greatest genius and penetration; but he could give a just account of what he had seen, which was, that before he was separated from the army, he observed the consul fighting at the head of his troops, amidst the standards, encouraging the soldiers, and exposed to the darts of the enemy: afterwards he lost sight of his own army, but he understood by the noise and shouts that the battle was continued till night. Nor, considering the numbers of the enemy, did he believe it was possible for Sempronius to break through them, and penetrate to the rising ground which he had seized. He knew not where the army was, and as in time of extreme danger, he had secured himself and his troops by the natural advantages of the place where he posted them, so he doubted not but, for the preservation of the army, the consul had retired to some place of greater safety than his own camp. Nor did he imagine that the affairs of the Volsci

were in a better situation than those of the people of Rome; fortune and the darkness of the night had led both parties into many mistakes concerning one another." Having thus spoke, he entreated they would not detain him longer, as he was tired out with the fatigue of his march and the pain of his wounds. Upon which he was dismissed, and as highly applauded on account of his moderation as of his valour. By this time the consul was come to the temple of Quies (*a*) in the Lavican way (*b*), whither waggons and horses were sent from the city to take up the soldiers quite spent with the fatigue of the battle and marching all night. A little after he arrived at the city, and was not more hearty in clearing himself of the blame of the late miscarriage, than in extolling Tempanius with just praises. While the state was afflicted on account of this disaster, and offended with their generals, M. Posthumius, who had been one of the military tribunes with consular power, that commanded at Veii, was by an impeachment brought before the people, and fined in ten thousand asses of brass. T. Quinctius in his defence laid all the blame of that unfortunate expedition upon Posthumius his colleague already condemned, and was acquitted by the suffrages of all the tribes on account of the good services he had done, when consul, in the country of the Volsci, under the conduct of the dictator Posthumius Tubertus, and at Fidenæ when he was lieutenant-general to Mamercus Æmilius another dictator. It is said the memory of his venerable father Cincinnatus was of great use to him on this occasion, as was also the intercession of Capitolinus Quinctius, now quite spent with age, who in the most humble manner entreated, that as his life was so near a period, they would not suffer him to carry so distressing news to Cincinnatus.

XLII. The people chose for their tribunes Sextus Tempanius, A. Sellius, L. Antestius, and Sextus Pompilius, though absent. The three last were the persons whom the horse, by the advice of Tempanius, chose for their centurions. Because, from odium to Sempronius, the name of consul was at this time offensive, the senate ordered military tribunes with consular power to be elected, and the choice fell upon L. Manlius Capitolinus, Q. Antonius Merenda, and L. Papirius Mugillanus. In the beginning of the year L. Hortensius, one of the tribunes of the people, brought an impeachment against Sempronius the late consul; and when four of his colleagues, in the presence of the Roman people, earnestly entreated him not to distress their innocent general, in whom nothing could be found blame-worthy but his bad fortune, Hortensius could not easily bear it, believing it was

only designed to try his resolution and steadiness, and that the party accused had no dependance upon the mediation of the tribunes, which was only intended for a shew, but on their assistance. Therefore turning toward Sempronius, he asked, where was that haughtiness peculiar to the patricians, and that courage which is supported by innocence and confides in it alone, when a man of consular dignity takes shelter under the shadow of plebeian tribunes? and afterwards toward his colleagues, said, "and what will you do if I should prosecute my impeachment and convict him? Will ye wrest the privilege from the hands of the people and ruin the power of the tribunes?" They replied, that they acknowledged the supreme power of the people over Sempronius and every other member of the state; and as they were not able so neither had they the least inclination to encroach upon their right of judging; but if their earnest entreaties in favour of a general, who had treated them with the tenderness of a parent, were ineffectual, they would exchange habits with him. Upon this Hortensius said, "the people of Rome shall not see their tribunes in mourning, I have no farther claim against Sempronius, since during his command of the army he has procured the love of the soldiers to such a degree." The affection of the four tribunes to their general did not give greater pleasure to the senators and people, than the good nature of Hortensius, which disposed him to yield so readily to their reasonable request. Fortune did not long fawn upon the Æqui, who were elevated with this doubtful victory of the Volsci, as if they had gained it themselves.

XLIII. Next year when Numerius Fabius Vibulanus, and T. Quinctius Capitolinus the son of Capitolinus, were consuls, nothing remarkable was achieved under the conduct of Fabius, who had obtained the direction of that war by lot. For the Æqui had no sooner brought their cowardly army in sight, than they were shamefully put to the rout, so that the consul gained no great honour, and therefore was refused a triumph. Yet because this victory served in some measure to remove the reproach attending the loss sustained by Sempronius, he was allowed to enter the city with an ovation. As this war was ended with less blood than was at first apprehended, so in the city, from a profound calm arose an unexpected storm of dissension between the senators and the people, which first arose about creating a double number of quaestors. The consuls had made a motion, that in addition to the two city quaestors (*a*) two others should be created, to attend the army, and assist the consuls, when they should be en-

gaged in war. The fathers highly approved the motion, but the tribunes of the people took this opportunity to contend with the consuls, by making a demand, that some of the quæstors, who till this time had all been patricians, should in future be chosen from the number of the people. This at first was violently opposed by the consuls and patricians, but they afterwards agreed that the rule which obtained in the election of military tribunes with consular power, should be extended to the quæstors, and the choice should be entirely left to the discretion of the people; and when even this concession did not satisfy their adversaries, they entirely abandoned their project of increasing the number of quæstors. Though the consuls declined their motion, the tribunes still insisted upon theirs, and soon after brought forward other seditious claims, and among the rest that of the Agrarian law. The senate, that they might the more effectually silence these commotions, were desirous that consuls rather than military tribunes should be chosen; but as they were unable to obtain an act for that purpose, on account of the opposition of the tribunes, the administration returned from consuls to an interregnum; nor was even this effected without great struggles, the tribunes being indefatigable in their endeavours to prevent the meeting of the patricians. The greater part of the next year was also spent in disputes between the new tribunes of the people, and several of those who served successively in the character of interrex, the former sometimes exerting themselves to prevent the meeting of the patricians for electing these magistrates, and sometimes, when one was chosen, opposing his having an act of senate passed for holding the comitia for electing consuls, till at last L. Papirius Mugillanus, upon his being declared interrex, having severely upbraided both the senators and tribunes of the people, said, "That the commonwealth, when abandoned and neglected by men, was taken under the particular care and providence of the gods, and owed its preservation to the truce with the Veientes and the inactivity of the Æqui. But if any new alarm should arise from these nations, they seemed to chuse that the state should be ruined without a patrician magistrate at the head of affairs; for there was at present no army, nor a general to raise one. Did they imagine that a civil war with their fellow subjects at home would be sufficient to defend them against a foreign one with their enemies abroad? So far from it, that, should they be attacked by both these calamities at once, the power of all the gods could scarcely preserve the Roman republic from ruin. Why then should not both the contending parties, abating some part of their pretensions, take a middle

course to restore harmony to the state, and the senators suffer the administration to be put into the hands of military tribunes with consular power, whilst the tribunes of the people, on their part, leave the people at full liberty to chuse four quæstors indifferently from the number of patricians or plebeians, at their pleasure?"

XLIV. The Comitia for creating military tribunes with consular power met first, and L. Quinctius Cincinnatus for the third time, L. Furius Medullinus for the second time, M. Manlius and A. Sempronius Atratinus, all patricians, were chosen. This last held the comitia for electing quæstors, where, among several other plebeians, the son of Antistius, and the brother of Sextus Pompilius, who were both tribunes of the people, stood candidates; but their interest or number of votes was not sufficient to binder the people from preferring, on account of their high birth, those whose fathers and grandfathers they had seen vested with the consulate. Upon this all the tribunes of the people stormed; but Pompilius and Antistius were provoked more than all the rest, upon seeing their nearest relations rejected, and said, that they were surprised the people, by their services, the insults of the patricians, nor a laudable ambition to put in exercise a new right which they did not enjoy before, had not been prevailed with to raise one of their own number, if not to the dignity of a military tribune, at least to that of a quæstor. The intercession of a father had not succeeded in behalf of his son, nor that of one brother in favour of another, though both were tribunes of the people, and vested with that sacred power which was instituted for the support of liberty. There must certainly be some unfair practices in the case, and A. Sempronius had, in presiding at the comitia, discovered more of artifice than integrity. They had therefore reason to complain, that, by his unjust intrigues, their friends had not succeeded in their application for the office of quæstor." But as Atratinus himself was sufficiently secured against their attacks, by his own innocence, as well as the high station in which he served, they turned their resentment against his cousin C. Sempronius, and, by the assistance of Canuleius their colleague, impeached him for the disgrace he had brought upon the sate, by his conduct in the late war with the Volsci. Very soon after, the same tribunes proposed in the senate a division of lands among the people; and as C. Sempronius had always opposed this motion with great warmth, they thought, as it after happened, that if he should drop his opposition in that affair, his interest among the patricians must fall considerably, or if he continued it, he would expose himself to the resentment of



the people at the time of his trial. He chose rather to expose himself to the odium of the opposite party, and hurt his own cause, than desert the interest of the public; and therefore continued fixed in the same opinion, "that a gratuity ought not to be granted, which would only serve to increase the interest and power of three factious tribunes, who in their hearts did not want to procure lands for the people, but to raise their resentment against him. As he was convinced of this, he was for his own part resolved to stand the storm with undaunted resolution; nor did he think that himself, or any particular citizen, ought to be so considerable in the eyes of the senate, that to save him, they should expose the state to any considerable disadvantage." With the same steadiness and courage, when the day of trial came, he pleaded his own cause; but after the senators had in vain tried all possible means to blunt the edge of the people's resentment, he was condemned to pay a fine of fifteen thousand asses of brass (*a*). The same year Posthumia, one of the vestal virgins, was obliged to plead her cause in answer to an accusation of incontinence which had been brought against her. Though she was innocent as to the crime, yet she had not sufficiently guarded against reports arising from suspicion, to which she had exposed herself by a greater gaiety of dress, and freedom of conversation, than became a virgin. Therefore her trial was at first put off for want of evidence (*b*), and afterwards she was acquitted; but the high priest, with the consent and approbation of the whole college, admonished her to avoid mirth and gaiety in her expressions, and to study modesty more than elegance in dress. The same year also Cumæ, a city till that time possessed by the Greeks, was taken by the people of Capua, and the administration of the next year was put into the hands of military tribunes with consular power, viz. Agrippa Menenius Lanatus, P. Lucretius Tricipitinus, Sp. Nautius, and C. Servilius.

XLV. By the good fortune of the Roman people, this year was more remarkable for an uncommon danger than any considerable disaster. For the slaves entered into a conspiracy to set fire to the city in several places at a distance from one another, and to arm themselves and seize the citadel and capitol, while the people should be employed in saving their houses. But Jupiter disappointed their impious designs, for two of the conspirators having discovered the plot, the rest were secured and put to death. The informers, as a reward for this service, were emancipated, and had ten thousand asses of brass money (*a*), which was considered great riches, weighed them from the treasury. After this

the Æqui began to make preparations for renewing the war; and accounts were brought to Rome by very sure hands, that the people of Lavicum, who had had no hostilities with the Romans before, were associating themselves with these old enemies of the state. The republic had been for some time accustomed to a war with the Æqui every year, but ambassadors were immediately sent to Lavicum. As they returned with doubtful answers, by which it appeared, that that people had not yet begun to make preparations for war, and yet probably would not long remain at peace, the Tusculans were charged to watch that no new commotions should arise at Lavicum. Soon after the military tribunes with consular power, who were chosen for the next year, viz. L. Sergius Fidenas, M. Papirius Mugillanus, C. Servilius the son of Priscus, who had been dictator when Fidenas was taken, had entered upon their office, deputies arrived from Tusculum with accounts, "That the people of Lavicum had taken up arms, joined the troops of the Æqui, and after ravaging the lands of Tusculum, encamped at Algidum." This news having determined the Romans to declare war against the state of Lavicum, the senate passed an act that two of the military tribunes should go to war, and the third abide in Rome to command in the city; but this quickly occasioned a sharp dispute between the colleagues, for every one of them pretended that he was the most proper person to command the army, and expressed their contempt of presiding in the city, as a mean and disagreeable office. As the senators beheld with wonder such an indecent misunderstanding between them, Q. Servilius said, "Since you shew no regard to this august order of men, nor to the commonwealth, paternal authority (*b*) shall end the dispute, my son shall, without casting lots, take upon him the care of the city. I wish those who are so fond of war may carry it on with greater prudence and unanimity than they seem to discover in desiring it."

XLVI. As it was not thought proper to raise recruits indifferently from all the people, ten tribes were drawn by lot, and the two consular tribunes having listed the young men belonging to them, led them to the war. But the misunderstanding which a thirst after sovereign power raised between them in the city, broke out with greater fury in the camp: they were never of the same opinion, and each, bigotted to his own sentiments, would have his advice followed in all cases, and no orders but his own obeyed. In short they acted in direct contempt of one another, till upon a remonstrance from their lieutenant generals, matters were so ordered, that they should have the supreme command by turns, and

neither should enjoy it above one day at a time. When these accounts were brought to Rome, it is reported that Q. Servilius, who by age and experience had acquired superior knowledge in such affairs, first implored the immortal gods, "that the misunderstanding between the tribunes might not prove more fatal to the state, than it had been at Veii;" and afterwards, as if he had been fully convinced that some calamity was at hand, pressed his son "to raise troops and make preparations for war." In this he appeared to have been a true prophet; for one day, when Sergius had the chief command, the Æqui pretending fear retreated to their intrenchments, and the Romans, without considering the disadvantage of the ground where they were to fight, as it lay directly under the enemy's lines, marched up to them in hopes of making themselves masters of their camp. Upon this the Æqui, all of a sudden, sallied out upon them, drove them backwards down the hill into the valley, and many were trod to death and slain in that rout, which looked more like a fall from a precipice than a flight. It was with difficulty the Romans could defend their camp that day, but the next, when they found themselves almost surrounded by their enemies, they made their escape out of the back gate and shamefully deserted it. The generals, lieutenant generals, and all that kept by the standards, went to Tusculum, whilst the rest straggling through the fields, by many different roads, at last reached Rome, and in their accounts magnified the loss the army had sustained. The consternation there was the less, both because this event was agreeable to what their fears had suggested, and because young Servilius, the military tribune, had got together a body of reserve, to which they could have recourse in time of danger: the inferior magistrates having also by his order quieted the commotions in the city, the spies, who were sent out, quickly returned with accounts "that the generals and army were at Tusculum, and the enemies had not moved their camp from its former place." But what gave greatest encouragement to the citizens, was, that the senate had formed a resolution to create Quinctius Servilius Priscus dictator, a man whose foresight for the interest of the republic they had experienced on many former occasions, but especially in the event of this war, he being the only person, who, before the late miscarriage, had suspected some bad consequence from the misunderstanding between the military tribunes. Some authors have asserted, that he chose his son general of the horse, who being at that time a military tribune, had named him dictator: others pretend that Servilius Ahala served in that station

this year: but be this as it will, he marched with his new raised army, and having sent for those who were at Tusculum, encamped within two miles of the enemy.

XLVII. The late success of the *Æqui* had brought over to their side that pride and negligence which had formerly infested the Roman generals. Therefore the dictator, having by his horse, whom he sent to begin the charge, put the first line of the enemy's army in disorder, he commanded the legions to advance and support them with all possible speed, and slew with his own hand one of the standard bearers, whom he observed slackening his pace. The Romans, upon this, fought with such ardour and fury, that the *Æqui* could not stand their charge, but quitting the field, fled in the greatest disorder to their camp, though it required less time and trouble to force it than it had done to defeat them in battle. As soon as it was taken and rifled, the dictator gave the plunder to the troops; and the horse who had pursued the enemy when they fled out of their camp, having brought advice that the routed inhabitants of Lavicum, and a great part of the *Æqui*, had fled to that city, he led his army thither next day, and having invested the place, took it by assault and plundered it. Then he led his victorious army to Rome, and gave up his office eight days after he had been invested with it. And before the tribunes of the people had time to propose the division of the Lavican lands, and thereby revive the disputes about the Agrarian law, a full meeting of the senate very seasonably voted, "that a colony should be planted at Lavicum." In consequence of this resolution six thousand five hundred citizens were sent out of the city, and to each of them were assigned two (*a*) acres of land. Next year after the taking of Lavicum, the military tribunes with consular power were Agrippa Menenius Lanatus, L. Servilius Structus and P. Lucretius Tricipitinus, all for the second time, and Sp. Rutilius Crassus, who the year following were succeeded in the same dignity by A. Sempronius Atratinus for the third time, and M. Papirius Mugillanus with Sp. Nautius Rutilus for the second. During these two years the Romans had no foreign enemy to contend with, but were harassed at home by disputes about the Agrarian laws.

XLVIII. The persons who at this time disturbed the peace of the people were two of their tribunes, viz. Sp. Mæcilius and Metilius, who had been both chosen in their absence, the former for the fourth and the latter for the third time. They had preferred a bill "for an equal partition of the conquered lands among all the citizens:" but as the city had been built upon the lands of

strangers, with little or no territory that it had not conquered sword in hand, and no part of it had been sold, or distributed by public authority, but what was in possession of the people; according to this bill, the greatest part of the estates of the nobility, must have been confiscated, and therefore it seemed to throw a great cause of contention between the patricians and plebeians. Nor could the consular tribunes, by often calling the senate together, and procuring private meetings of the principal men of the patrician party, find a method to extricate themselves from this difficulty; till, as it is reported, Appius Claudius, the grandson of that Appius who was created decemvir for compiling a body of laws, and at this time the youngest of all the senators, represented, "That he would lay before them an old expedient which he had by tradition from one of his own family, for Appius Claudius his great grandfather had demonstrated to the senate, that the only way to render the power of the tribunes ineffectual was to stir up an opposition among their own colleagues. The authority of great men would easily prevail with persons newly raised from obscurity to alter their conduct, if the senators would sometimes deign to address them in terms more suited to the necessity of the times than the dignity of their own rank. The pride of such persons was always proportioned to their condition, and therefore as soon as they should be convinced that those of their colleagues, who were the principal actors in promoting the present bill, had engrossed all the people's favour, so as to leave no room for them in their esteem, they would easily be prevailed upon to favour the pretensions of the senate, and thereby recommend themselves to the whole order as well as the principal men of it." As all approved of the expedient, especially Q. Servilius, who also recommended the young man, because he had not degenerated from the steadiness of the Claudian family, a general charge was given to all the members of the senate, that every one of them should employ their interest to prevail with as many of the college of tribunes as they could to join in opposition to the bill. In consequence of this, as soon as the senate was adjourned, the principal members of it made their court to the tribunes, whom they plied with all the methods of persuasion, and in particular assured, that their compliance would lay a strong obligation, not only upon every private senator, but upon the whole order in general: nor did they desist till they had engaged six of them to oppose the designs of their colleagues. Next day, according to concert, a motion was made in the house "concerning the sedition, which Mæcilius and Metilius were exciting by proposing a

largess to the people that was likely to be of the most dangerous consequence to the state;" and every one of the senators in their speeches took care to declare, "that, for their own part, they were so much at a loss that they had no advice to offer, nor the least prospect of assistance from any quarter, except it should come from the opposition of the tribunes. The republic under heavy oppression, and in the condition of a private person reduced to necessity and want, now fled to the mercy and protection of that college; and it would tend much to their own honour, as well as to the reputation of their office, if it should appear, that the power lodged in their hands was not more effectual for distressing the senate and sowing discord among the different orders of the state, than to oppose the designs of their wicked colleagues." Upon this a great noise arose in the house, occasioned by the members, who from all parts of it appealed to the tribunes. As soon as silence was commanded, those who had been beforehand prepared by the solicitation of the principal senators, declared, "that they would oppose the bill which their colleagues had preferred, seeing it was the judgment of the senate that it tended to the subversion of the state." The senate returned thanks to the tribunes who had made the opposition; but those who had preferred the bill, summoned an assembly, where after reviling their colleagues with the odious names of betrayers of the interests of the people, slaves to all who had been honoured with the office of consul, and other opprobrious language, they laid aside their motion.

XLIX. The next year P. Cornelius Cossus, C. Valerius Potitus, Quinctius Cincinnatus, and Numerius Fabius Vibulanus were created military tribunes with consular power. During their administration the state would have had war with two of its restless neighbours, had not that with the Veientes been put off by a religious scruple among their leaders to whose lands the Tiber, overflowing its banks, had lately done great damage, especially by demolishing their country seats and farm houses, and the Æqui been diverted from assisting the inhabitants of Volæ (*a*), a people belonging to their own nation, by the great loss they had sustained three years before. This people had made incursions upon the territory of Lavicum, which bordered with theirs, and committed hostilities upon the Roman colony lately planted there. And they thought to have secured themselves against any punishment for this insult by the joint assistance of all the Æqui; but as they were thus deserted by their countrymen, the war the Romans had with them was very inconsiderable, for they lost both

their city and its territory by one slight engagement and a short siege. L. Sextius, one of the popular tribunes, attempted to bring in a bill for sending a colony to Volæ as well as Lavicum; but this came to no account by reason of the opposition made by his colleagues, who declared, "that they would suffer no bill to pass in the assembly of the commons without the consent of the senate." Next year, the Æqui having recovered Volæ, reinforced the town by a colony of their own people, which they planted there: this happened when Quintius Fabius Vibulanus for the second time, Cn. Cornelius Cossus, L. Valerius Potitus, and Posthumius Regillensis (*b*), were military tribunes with consular power. This Posthumius Regillensis had the command of the army in the war against the Æqui; but he was a man of an obstinate perverse temper, which he discovered by his victory more than by his conduct in the war. For having raised an army with great expedition and led it to Volæ, he damped the courage of the Æqui in several slight engagements, and at last took their city by force. After that he turned his severity from the enemies and pointed it against his fellow citizens: and though while he was besieging the town, he ordered it to be proclaimed that the troops should have the plunder of it, when it was once taken, he changed his mind. I am more inclined to believe that this was the rise of his army's resentment against him, than that they were provoked, because the city having been but lately plundered, and repeopled by a new colony, they found not such a large booty in it as this military tribune had given them ground to expect. But this resentment against him he further enflamed, after he was recalled by his colleagues and returned to the city, on account of the commotions which the tribunes of the people were raising there, by a foolish and almost distracted expression which he used upon that occasion: for when Sextius, one of these tribunes, was proposing the Agrarian law, adding, that he would also "bring in a bill for sending a colony to Volæ, because that city and its territory was in justice the property of those who had conquered it by their arms," Posthumius said, "Wo be to my soldiers, if they will not be quiet." This expression did not shock the assembly when they heard it pronounced, more than it afterwards did the senators. The tribune Sextius, who was a man that had abundance of spirit, and by no means a bad speaker, having found among his adversaries a proud heart and a petulant tongue, whom by provocation and teizing he could drive to such expressions as were capable not only of rendering himself odious, but also of creating a prejudice against his cause and the

whole order to which he belonged, used to draw none of the military tribunes oftener into a dispute than Posthumius. Therefore immediately after he had heard this cruel and inhuman expression, he said, "Do you not hear him, Romans, how he threatens an ill turn to his soldiers, as if they were his slaves? And yet after all you will think this brute more worthy of the high and honourable office he enjoys, than those who provide you with cities and lands, and send you into colonies, who procure safe retreats for your old age, and fight for your interests against such cruel and haughty adversaries. After this begin to wonder why there are now so few that care to undertake the defence of your rights, what have they to expect from you? Is it these honours you confer upon your adversaries rather than the protectors of the Roman people? You gave a groan just now upon hearing the expression Posthumius used, but what does that signify, were you this moment to give your suffrages, you would prefer the person who thus menaces you, to those who exert themselves to secure you in lands, settlements, and riches?"

L. When this expression of Posthumius was reported in the camp, it raised the indignation of the soldiers to a higher pitch than it had done that of the people at Rome. "What!" said they, "shall the person who has defrauded the troops, and taken to himself the booty which of right belonged to them, also menace them?" P. Sestius, one of the *quæstors*, observing that they openly murmured against their general, and imagining that the sedition could be quelled by the same violent methods that had given rise to it, sent his lictor to one of the soldiers whom he heard bawling out; but their noises and reproaches increasing, he was wounded with a stone and obliged to retire from the tumult, the person who had wounded him also calling to him in an insulting manner, "That the *quæstor* had received that wherewith he had threatened his soldiers." When Posthumius himself was called to quell the mutiny, he made the matter much worse, by his severe inquisitions and cruel punishments. At last, when he set no bounds to his resentment, the cries of those whom he had ordered to be put to death under the hurdle (*a*) having drawn together a number of the soldiers, in a tumultuous manner, he came down to them himself from the tribunal like a person distracted, as they were endeavouring to prevent the execution of his sentence. And as the lictors and centurions in clearing the way and dispersing the mob upon that occasion, maltreated the men, the indignation of the soldiers became so violent that the military tribune was stoned to death by his own army. When the so-



counts of a deed so shocking were brought to Rome, and the military tribunes applied to the senate for an order to make a severe inquiry into the death of their colleague, the tribunes of the people opposed their passing any act upon this subject. But this dispute depended upon another. For the senators were apprehensive that the people, from the fear of the intended inquisition, would chuse military tribunes from their own number, therefore they exerted themselves to the utmost to obtain the election of consuls. But as the tribunes of the people opposed the senate's passing any act about enquiring into the death of Posthumius, they also endeavoured to prevent the holding of the comitia for electing consuls, so that finally they were obliged to have recourse to an *interregnum*, by which means the fathers soon afterwards obtained the victory.

LL. Q. Fabius Vibulanus, being declared *interrex*, held the comitia, and M. Cornelius Cossus with L. Furius Medullianus were created consuls. In the very beginning of their administration the senate enacted, that the tribunes should, as soon as possible, lay the affair of the inquiry into the murder of Posthumius before the assembly of the people, and that it should be left to them to name what commissaries they pleased to preside in that inquiry." Upon this the commons, with the general approbation of the Roman people, committed the charge of this matter to the two consuls. They executed their commission with the greatest moderation, and brought the whole affair to a period by passing the sentence of death upon a few, who are generally believed to have prevented it, by killing themselves: yet they could not, by all this, prevent the people's highly resenting their conduct, and complaining, "That the bills which were brought in for their advantage should lie so long neglected, and without effect, while a law made for shedding their blood, and bringing them to punishment, was directly put in execution, and that with great rigour." After thus punishing the seditious soldiers, it was a most proper time for soothing the minds of the people, by dividing among them the lands of Volte. By this means the senators would have considerably abated their keerness in pushing the Agrarian law, by which they intended to divest the patricians of the lands belonging to the state they unjustly possessed. But as matters went, the people were galled with this provoking circumstance, that the fathers were not only obstinate in retaining the lands of the public, which they had usurped by violent methods, but also refused to distribute among them the territory of Volte lately taken from the enemy, which was now vacant,

and would soon become a prey to a few of the patricians, as the rest had done before. The same year Furius the consul led the legions against the Volsci who were ravaging the dominions of the Hernici; but not finding the enemy there, they took Ferentinum (*a*), to which a great number of them had retired. The booty they took was not so considerable as they expected, because the Volsci, after they began to lose all hopes of being able to defend themselves, packed up their effects in the night-time, and evacuated the city; so that next day, when it was taken, the consul finding it almost quite abandoned, made a present of its territory to the Hernici.

LII. This year, by reason of the moderation of the plebeian tribunes, had been rather peaceable; but in the beginning of the next, when the administration was in the hands of Q. Fabius Ambustus and C. Furius Pacilus consuls, L. Icilius, one of the tribunes of the people, as if that had been the peculiar province of his name and family, endeavoured to promote sedition, by proposing Agrarian laws: however a pestilence, which happened at the same time, diverted the thoughts of men from the forum and disputes about public affairs, and made them fix their attention to the concerns of their own families, and the proper care of their health. Yet the dread of it was more considerable than the hurt it did, at least it is thought it was of less prejudice to the state than the sedition it prevented would have been. After much sickness in the city, but a very inconsiderable mortality, the neglect of husbandry during this year wherein the pestilence prevailed, was followed, as it commonly happens, by a scarcity of provisions in the next, when M. Papirius Atratinus and C. Nautius Rutilus were consuls. And famine would have produced worse consequences than the pestilence, if their want had not been relieved by sending deputies to all the nations who inhabited the coast of the Hetrurian sea and the banks of the Tiber to buy up corn. The Samnites, who were then possessed of Capua and Cumæ, in a very haughty manner prohibited all commerce with those deputies, but they were liberally supplied by the tyrants of Sicily: and the Hetrurians with the greatest zeal and forwardness sent large quantities of grain down the Tiber (*a*) to Rome. The consuls had a convincing proof of the desolate state to which the city was reduced while the sickness prevailed, for not finding above one senator for every particular embassy, they were obliged to associate with each of them two knights (*b*). However during these two years the Romans were exposed to no foreign nor domestic trouble, excepting what they suffered by the contagious

distemper and scarcity of provisions. But these calamities were no sooner over than they were involved in civil dissensions and foreign war, and all the evils which used to disquiet and distress their state.

LIII. The next consuls were Mamercus Æmilius and C. Valerius Potitus, during whose administration the Æqui made preparations for war; and though the Volsci did not take up arms by any direct order of their own state, yet they listed themselves with the former as mercenary troops. Upon advice of the motions of these enemies, for by this time they had entered the frontiers of the Latines and Hernici, Valerius the consul began to make the levies for raising an army; but M. Mœnius, one of the tribunes of the people, who had proposed the Agrarian law, opposed him, and while the commons were supported by the assistance of this tribune, none of them could be compelled to take the military oath. In this situation of affairs accounts were brought, "that the enemies had taken the fortress of Carventum;" and as this disgrace exposed Mœnius to the odium of the senators, so it furnished a more plausible pretext to the other tribunes who were already determined to declare against the Agrarian law, to oppose their colleague also in this attempt. Therefore after the affair was protracted to a great length by cavilling on both sides, the consuls called gods and men to witness, "that the blame of all the damage and disgrace the Romans had sustained from their enemies, or were likely to sustain, must be laid upon Mœnius who obstructed the levies." And while Mœnius on the other hand was exclaiming with great vehemence, "that if the unjust possessors would give up the lands of the public which they had usurped, he would no longer obstruct them," the other nine tribunes put an end to the dispute, by interposing their decree, whereby they declared in the name of their college, "that, in opposition to their colleague Mœnius, they would support the consul Valerius in imposing fines, or any other punishments, upon those who refused to let themselves be enrolled for the war." The consul, supported by this decree, having seized and committed to prison some who appealed to the tribune for assistance, the rest were afraid and took the military oath. This army, however much it hated the consul, and was hated by him, was no sooner led to the fortress of Carventum (*a*), than it vigorously dispossessed the garrison and recovered the fort. The negligence of those of the garrison, who had gone to plunder in the neighbourhood, gave the Romans a favourable opportunity to take it by surprise. And the booty found in it was considerable,

because the enemy had brought thither, as to a place of great security, all that they took in their daily sallies to pillage the country; but the consul ordered the quaestors to sell it by auction and put the price in the public treasury, telling the soldiers that they should share in the booty, when they did not decline going to the war. This increased the people's resentment against him, and therefore, when by order of the senate, he entered the city with an ovation, the soldiers, in their licentious manner, repeated by turns unpolished and rude verses, wherein they reproached the consul, and extolled the name of Mœnius with uncommon praises. And the people who stood on each side to behold the procession, rivaled the soldiers in expressing their regard to Mœnius by loud acclamations and applauses, as oft as they heard his name. This gave greater uneasiness to the senators, than the freedom the soldiers took with the consul, because it was ordinary on such occasions; and concluding from this that Mœnius would certainly be advanced to the honour of a military tribune if he should put up for it, they took care to exclude him by appointing the comitia to be held for electing consuls.

LIV. The consuls elected were Cn. Cornelius Cossus and L. Furius Medullinus for the second time. The people were never more provoked than at this time that they were not allowed to chuse military tribunes, and their uneasiness upon this account they both discovered and resented at the comitia for electing quaestors: for as this was the first time they elected plebeian quaestors, so of four, they chose only one patrician, named Cæso Fabius Ambustus, and three plebeians, Q. Silius, P. Elius, and P. Pupius, were preferred to the sons of the most renowned families in Rome. I am informed that the persons who persuaded the people to give their suffrages with such freedom, were three of the Icilian family, noted for its extreme inveteracy against the patricians, who were all chosen tribunes of the people that year. For having raised the expectations of the commons by promising abundance of great matters, of which they were extremely fond, they at the same time declared, "They would undertake nothing in their favour, if at the comitia for electing quaestors, the only officers whom the senate had left them at liberty to chuse indifferently from the body of patricians or plebeians, they had not courage enough to effect what they had so long inclined, and the laws left them at freedom to do." This the people considered as a very great victory, for they judged of the quaestorship not from the privileges of that office, considered in itself, but from the way which it seemed to pave for men of obscure birth to arrive

at the highest dignity of the state, and the honour of a triumph. But the fathers, on the other hand, murmured extremely at what had happened, for they did not look upon it, as a mere sharing of the honours of the state with the commons, but as equivalent to the entire loss of them. They said, "That if matters went at this rate, they ought not to educate children to be degraded from the dignity of their ancestors, see others possessed of the honours due to them, and be left in the obscure offices of *salii* and priests, with no other employment but that of offering sacrifice for the prosperity of the people, and without the least share in the government or authority in the state." While the minds of both parties were in this ferment, the people, being in high spirits, and having three persons at their head who were so very remarkable for their courage and success in supporting their cause, the fathers seeing that wherever the people were left at liberty to chuse officers indifferently out of the two orders in the state, matters were likely to go as they had done at the election of *quæstors*, exerted their utmost efforts to have the *comitia* held for electing consuls, where the plebeians had not yet access to be chosen: but the *Icili*, on the other hand, insisted on having military tribunes elected, and pretended that it was more than time to confer that honour at last upon some of the plebeians.

LV. But as yet the consuls had entered no claim, by a vigorous opposition to which it was in the power of the people to wrest out of their hands what they wanted, when, by a surprising good chance for them, advice was brought that the *Volsci* and *Æqui* had marched out of their own dominions to pillage the lands of the *Latines* and *Hernici*; and as the consuls by order of the senate, began to make the levies for sustaining that war, the tribunes opposed them with all their might, saying, that fortune had presented them and the people with that favourable opportunity. There were three of them all men of very great spirit, and descended of one of the best families among the plebeians. Two of them undertook to watch the motions of the two consuls, and be continual spies upon their actions; the third was charged with the care of haranguing the people at assemblies, and of restraining or inciting them as occasion should require. By this means the consuls could not complete their levies, nor could the tribunes obtain the *comitia* which they wanted. At last fortune inclining to the side of the people, expresses came with accounts "That the soldiers who kept garrison in the fortress of *Carventum* having gone out a pillaging, the *Æqui* had killed the few that were

left to keep it, and surprised the fort. The rest of the soldiers they had also slain, either as they returned and were entering the fort again, or were found straggling in the fields." This accident, however prejudicial to the state in general, strengthened the tribunes in carrying on their present designs; for after they had been solicited, though in vain, to give up their pretensions at last, and continue no longer to obstruct the war, as they would not yield, neither out of regard to the storm which threatened the state, nor the odium which they were bringing upon themselves, the senate was obliged to pass an act "for the election of military tribunes," but upon these express conditions, "that none of those who served as tribunes of the people this year should be elected military tribunes, or continued in their present office for another year." In these restrictions the senate, no doubt, had a view to the Icilii, whom they accused of aspiring to an office equal in dignity to the consulate, as a reward of the seditions they had excited in the quality of plebeian tribunes. Immediately after this the levies were made, and preparations for war carried on by the general consent of all ranks. The disagreement of historians leaves it doubtful whether both the consuls marched to the fortress of Carventum, or one of them staid at Rome to hold the comitia; but it is agreed on all hands, that after they had spent a long time before that fort, they at last raised the siege, also that the same army reduced Verrugo in the country of the Volsci; and after ravaging the lands of that people, as well as those of the Æqui, brought home a very considerable booty.

LVI. As the victory which the people gained at Rome consisted in their obtaining the comitia they desired, so in the event of these comitia the fathers had the advantage; for, contrary to every one's expectation, the three military tribunes with consular power chosen that year were C. Julius Iulus, P. Cornelius Cossus, and C. Servilius Ahala, all patricians. It is said the patricians used a sly artifice upon that occasion, which the Icilii reproached them with at that very time; and that having blended a great number of worthless candidates (*a*), with others who were men of great merit, the meanness and obscurity of some of the plebeians who put up at that time was so great, that it determined the people against them all. It is not certain whether the hopes of the Volsci and Æqui were raised to a great pitch by their success in defending the fortress of Carventum against the Roman army, or their rage enflamed for the loss of their garrison at Verrugo, but advice was brought that these nations made extraordinary preparations for war, and that the Antiates were the chief in

the confederacy ; it was added, that they had sent ambassadors round all the states of these two nations to upbraid them with their cowardice, " in that they had shut themselves up within their walls, and suffered the Romans last year to lay waste their lands, and cut in pieces the garrison of Verrugo. Not only were armies now sent against them, but colonies also planted in their dominions ; and the Romans not satisfied with dividing their substance among their own people, had taken Ferentinum from them, and made a present of it to the Herinci." As the rage of the people was enflamed by these remonstrances, they listed great numbers of the youth of all the cities which they were sent to solicit ; and having convened them all at Antium, pitched their camp there, and waited an opportunity to give the enemy battle. Because the accounts of these motions which were brought to Rome represented them more terrible than they really were, the senate immediately ordered a dictator to be named, as that was the last resource in times of extraordinary danger. But it is said that Julius and Cornelius, two of the military tribunes, highly resented this resolution ; and the disputes they had with the senate upon this occasion were managed with such heat, that the leading men of that order having first complained in vain, " that the military tribunes would not subject themselves to the authority of the senate, at last had recourse to the tribunes of the people for assistance, alledging that even consuls on such occasions had been overruled, and obliged to submit to their authority." The tribunes, delighted with this misunderstanding among the patricians, answered, " that they ought to expect no assistance from them, while they did not consider them as citizens, or even regard them as men. If ever they should be allowed to share the honours of the state, or admitted to the management of public affairs, they would take care that the haughtiness of any magistrate, however exalted, should not be able to prevent the effects of the senate's decree. But in the mean time, let the patricians themselves, who seemed exempted from all regard to laws and obedience to magistrates, take into their own hands the exercise of the power and authority of the tribunes."

LVII. This difference, as it happened in a very improper time, when the state had so much war upon its hands, engaged the attention of all men, till after Julius and Cornelius had, for a long time, made speeches by turns, wherein they represented, that as they were well qualified for conducting that war themselves, it was not reasonable that an honour which the people had bestowed upon them should be wrested out of their hands." Servilius

Ahala, their colleague in the military tribunate, said, that he had been so long silent, not because he was at a loss what judgment to form in the present case; for who, that was a good citizen, would separate his own interest from that of the state, but because he rather choose that his colleagues should, of their own accord, submit to the authority of the senate, than have the power of the plebeian tribunes called in against them. And even then, if the situation of affairs would suffer it, he would willingly allow them time to get the better of a resolution in which they had discovered too much obstinacy. But as the exigencies of war did not wait the pleasure of men, he would prefer the interest of the republic to their favour; and therefore, if the senate persisted in their former sentiments, he would name a dictator next night. Nor would he be diverted from his purpose, if any one should oppose their passing an act upon this subject, for in that event he would be satisfied with their authority (*a*) without the ordinary forms." Having by this declaration gained the just praises and grateful acknowledgments of all the people, he named P. Cornelius dictator, and was himself declared by him general of the horse; so that such as compared his conduct with that of his colleagues, had in this a convincing proof that those who neglect respect and honour, are sometimes in the surest way to both. The war was not very considerable, for the enemies were entirely routed in one battle at Antium, with very little expence of blood: and those of them who survived that action, being obliged to retire to their walled towns, and not appearing in defence of their lands, the victorious Romans ravaged the country of the Volsci, and made themselves masters of a fort upon the lake Fucinus (*b*), wherein they took three thousand prisoners. The dictator having conducted this war so, as it could only be said of him, that he had not neglected an opportunity of signalizing himself, returned to Rome with much more good success than glory, and demitted his office. The military tribunes, without so much as once mentioning the consular comitia, which I am of opinion was owing to their resentment against those who had been for creating a dictator, summoned the comitia for electing military tribunes. This gave very great concern to the senators, as they thereby saw their cause betrayed by those of their own party. Therefore, as in the preceding year, they had, by procuring some of the most worthless plebeians to put up, disgusted the people at others of that rank who were men of worth and merit; so at this time, having prevailed with those of the patricians, who were most considerable for popularity and the lustre of their families, to of-



fer themselves as candidates, they secured all the places, and left room for none of the plebeians. The four military tribunes elected were L. Furius Medullinus, C. Valerius Potitus, Numerius Fabius Vibulanus, and C. Servilius Ahala, who had all served in the same office before. The last particularly was re-elected, and thereby continued in his honourable office in regard of his other virtues, but especially on account of the credit he had lately acquired by his singular moderation.

LVIII. This year the truce with the Veientes being expired, the Romans sent deputies, attended by heralds, to demand of them restitution of what they had violently carried out of their dominions. But before they had reached the frontiers, they were met by the ambassadors of that people, who begged they would not go to Veii, before they had obtained an audience of the senate at Rome. And so far was the Roman senate from taking advantage of the distresses and calamities of their neighbours to promote their own interests, that in consideration of the civil dissensions under which the Veientes laboured, they were prevailed upon not to demand restitution at that time. The same year the Romans sustained damage in the country of the Volsci by the loss of their garrison at Verrugo, where a short space of time was of so great consequence, that the troops, who were besieged in that fort, and had applied for succour, might have been rescued, had a speedy reinforcement been sent them; but as it happened the army sent to their relief came only soon enough to cut the enemy to pieces, when they had just put the Roman garrison to the sword, and dispersed themselves to pillage the country. The blame of this fatal delay was not to be laid upon the tribunes so much as the senators, who because they heard that their troops made a most vigorous defence, did not reflect that no valour, however great, can exceed the measure of human strength. However, as these brave men sold their lives dear, so they were severely revenged after their death. Next year when P. Cornelius Cossus, Cn. Cornelius Cossus, Numerius Fabius Ambustus, and L. Valerius Potitus were military tribunes with consular power, a motion was made for renewing the war with the Veientes, on account of a haughty answer of their senate, who, when the Roman ambassadors were demanding restitution, ordered them to be told, "that if they did not quickly leave their city and dominions, they would serve them as Lars Tolumnius had served others of the same character." The Roman senate, highly provoked at this indignity, ordered, "that the military tribunes should, as soon as possible, prefer a bill to the people for declaring

war against the Veientes." But as soon as the motion was made, the youth began to murmur, and said, "that the war with the Volsci was not yet over; two garrisons had been lately put to the sword, and the forts they had guarded were now retained with great danger. There was no year passed wherein they had not a battle to fight; and yet, as if they had not enough of hardships and toil, the patricians were concerting a new war with a most powerful nation in their neighbourhood, who would put all Hetruria in motion against them." Thus they talked of their own accord; but the tribunes enflamed them still more by representing, "that the war the patricians had most at heart was that they were carrying on against the people, therefore the latter must be distressed of purpose by being kept continually in the field, and exposed to be murdered by the enemies. They must be kept at a distance, and, as it were, banished from the city, for fear that if they enjoyed repose at home they should think of liberty and colonies, or perhaps concert measures about recovering the lands of the public, or voting freely in their assemblies." They also addressed themselves to the veterans, counted their wounds and scars, asking them, "how much of their bodies was whole to receive new wounds, and what blood they had remaining to be shed for the state." When by insisting on these topics, both in their private conversations and at assemblies, they had created strong prejudices in the people against engaging in this war, the patricians put off the bill for some time, because it was plain that had it been proposed to the commons, as they were then biassed, it must have been rejected.

LIX. Mean time it was resolved that the military tribunes should march an army into the country of the Volsci, only Cn. Cornelius was left at Rome. The other three, after they found that the Volsci had formed no camp, and were satisfied they would not hazard a battle, divided their army into three bodies, and marched different ways to lay waste the enemy's country. Valerius led his army to Antium, and Cornelius to Ecetræ, pillaging the houses and country all the way round them to amuse the Volsci. But Fabius, without stopping to plunder, marched directly to lay siege to Anxur, which was that they had chiefly in view. As Anxur (*a*), now Terracinæ, was situated on the side of a rising ground with a marsh directly below it, Fabius made a shew of attacking it at that low place. But four cohorts under the conduct of C. Servilius Ahala, who were sent to reconnoitre and possess themselves of the eminence above the town, having on that side, where no guards were planted, attacked the wall with

a prodigious clamour and noise, struck such a terror into those who were defending the lowest parts of it against Fabius, that their consternation gave him time to apply his scaling ladders; and in a moment all places were full of enemies. Upon the walls for some time there was nothing but the continued carnage of the townsmen, without distinguishing those who fled from those who fought, or those who had arms from such as had none. So that the conquered seeing there was no hope of quarter by surrendering themselves were obliged to renew the fight, till on a sudden they heard a proclamation, "that none should be hurt but such as were found armed," which soon determined them all to lay down their arms and surrender at discretion. In this place two thousand five hundred were taken prisoners; but Fabius would not allow his soldiers to touch any other part of the spoil, till his colleagues should come up; for he said, "That Anxur was taken by those who diverted the rest of the Volsci from defending the place, as well as by those who were employed in the siege." As soon as the three armies were joined they plundered the city, which, by a long train of prosperity, was now become exceedingly rich; and this instance of the liberality of the Roman generals was the first occasion of a reconciliation between the patricians and plebeians. To this favour the principal senators soon after added another, which was the most seasonable present they ever made; for before either the people or their tribunes had given the least hint about it, they prevailed with the senate to enact, "that the soldiers (*b*) who had to this time served at their own charge, should henceforth have their pay out of the public treasury."

LX. Never, as we are informed, did the people receive any favour with such demonstrations of joy. They ran in great crowds to the senate-house, and as the senators went out, pulled them by the hand, owning, "that they were justly called fathers, and had effected by their generosity, that no citizen so long as he should have any measure of strength, would ever spare himself, or grudge the effusion of his blood for such an indulgent country." As they were very sensible of the value of this favour, which at least would secure their estates from being wasted, while their bodies were engaged in the service of the state, so they were pleased to find that the senate had of their own accord made an establishment in their favour, which had never been concerted by their tribunes, nor demanded by themselves. These circumstances concurred at once to improve their joy, and make their acknowledgements the more hearty and sincere. The tribunes

of the people were the only persons who had no share in the common joy and unanimity of all ranks upon this occasion. They pretended, "that this affair would not give such universal satisfaction to the senators, nor be of such service to their cause, as they expected. The design looked at first sight more promising than it would prove in experience; for how could this money be raised but by a general tax upon the people? So that, at best, they were liberal at the expence of other men. And though others might approve of the design, those who had already served out their time would never consent that their successors should go to war on better terms than they had done, or that they who had already served their country at their own charge, should also contribute to the support of others." These speeches made some impression on a part of the people: and at last when a proclamation was issued for raising the tax, the tribunes also made intimation, "that they were ready to support such as should refuse their contingent for the payment of the troops." But the nobility continuing resolute in the support of what they had so well begun, were the first who paid in their contributions; and because at this time they had no silver coin (*a*), some sending brass, valued according to its weight (*b*), into the treasury, made their proportion of this tax have a grand appearance. After the senators had with great ingenuity paid their contingents according to the value of their estates, the most considerable among the people, who were in friendship with the nobility, began to bring in theirs according to concert; and when the commons of ordinary rank observed how much they were commended by the senators, and respected as good citizens by the soldiers, they all of a sudden expressed their contempt of the tribune's assistance, and began to contend with one another who should be the first in paying their contributions. They also passed the bill for proclaiming war against the Veientes, and the new military tribunes with consular power marched to Veii at the head of an army, whereof the far greatest part had freely offered their service.

LXI. These military tribunes were C. Julius Iulus and L. Furius Medullinus for the second time, T. Quinctius Capitolinus, P. Quinctius Cincinnatus, A. Manlius and Manius Emilius Mamercinus, who were also the persons that first invested Veii. In the beginning of this siege a very full diet of all the states of Etruria was held at the temple of Voltumna; but they could not at this time come to a resolution whether their whole nation should take part in the war in defence of the Veientes. Next year the siege was not carried on with so great vigour, because some of the

military tribunes, and a part of the army, were detached to make war upon the Volsci. The military tribunes with consular power elected for this year, were C. Valerius Potitus for the third time, Sp. Nautius Rutilus for the second, Manius Sergius Fidenas, P. Cornelius Maluginensis, Cn. Cornelius Cossus, and Cæso Fabius Ambustus. In a battle which was fought with the Volsci between Ferentium and Ecetra, the Romans had the advantage, and immediately after the military tribunes formed the siege of Artena (*a*), a city belonging to that people, where the besieged, having attempted to sally out upon them, were repulsed with such vigour, that the Romans entered together with them into the city, and all was taken but the citadel, into which, as it was strongly fortified by nature, a body of armed men had retired. The assailants, having made a great slaughter of the townsmen, and taken many prisoners under this fortress, afterwards laid siege to the fort itself. But it could not be taken by force because it had a sufficient garrison, considering the extent of the place; nor were there any hopes of obliging it to surrender, because before the town was taken, all the corn in the public magazines had been conveyed into it. So that the Romans must at least have been tired out, and raised the siege; if it had not been betrayed into their hands by a slave, who having conducted a detachment of soldiers through a steep and intricate passage, and admitted them into the place, they soon made themselves masters of it. For having killed the guards and sentries, all the rest of the garrison were struck with such a sudden terror that they surrendered themselves at discretion. The Romans upon this success demolished the town and citadel of Artena; and having marched their legions out of the country of the Volsci, turned their whole force against the city of Veii. The traitor, besides his liberty, had the plunder of two families as a reward: and was afterwards called Servius Romanus. Some think that Artena was a city in the country of the Veientes not of the Volsci. The ground of their mistake is, that there was once a town of this name between Cære and Veii, but besides that it was destroyed by the Roman kings, it belonged to the Cærtes not the Veientes; whilst this other, the destruction whereof we have just now described, was situated in the country of the Volsci.

END OF THE FOURTH BOOK.

# THE HISTORY OF TITUS LIVIUS.

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## BOOK FIFTH.

*Barracks built for the soldiers to winter in at the siege of Veii; which being a new thing raises the indignation of the tribunes of the people, who complain, that the people enjoy no rest from war, even in the winter. At this time the knights first begin to serve on their own horses. An inundation of the Alban lake happening, a soothsayer is taken from the enemy to interpret the cause of it. The dictator, Furius Camillus, takes Veii, after it had endured a ten years' siege, and from thence transports the image of Juno to Rome, and sends a tenth part of the spoil to Apollo at Delphos. The same Camillus, commanding as military tribune at the siege of Falerii, sends back to their parents the enemies' children who had been betrayed into his hands. The Falisci, won by this generous act of justice, surrender their city to him. C. Julius one of the censors dying, M. Cornelius is elected in his stead, a thing never after allowed, because the Gauls took Rome during that lustrum. Furius Camillus, being prosecuted by L. Apuleius tribune of the people, goes into banishment. The Senones, a people of Gaul, besiege Clusium, and the ambassadors, sent by the senate to mediate a peace between them and the Clusinians, fight against the Gauls at the head of the Clusinian troops. This so exasperates the Senones that they march to Rome sword in hand, rout the Romans at the river Allia and take the city, all except the capitol, whither the youth had betaken themselves. They kill all the old men, as they sat in the porches of their houses, adorned with the ensigns of the honours they had borne. Mounting upon the backside to the top of the capitol they are discovered by the cackling of geese, and tumbled down headlong chiefly by the valour of M. Manlius. Famine at last obliges the Romans to come down, to pay the Gauls a thousand pounds weight of gold, and therewith purchase the raising of the siege. Furius Camillus, who had been created dictator in his absence, comes up with his army while they are weighing the gold, and after they had been there six months drives the Gauls out of the city and puts them all to the sword. A temple is built to Aius Locutius in that spot where, before the taking of Rome, his voice was heard, fore-warning them of the approach of the Gauls. The Romans propose to remove to Veii, because Rome was burnt and demolished; but are diverted from this design by Camillus. The people also fancy there is a good omen in the expression of a centurion, who, when he came with his men into the forum, said, "halt soldiers, we had best stay here."*

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I. WHILST all around enjoyed peace, the Romans and Veientes remained in arms, with such rage and malice on both sides, that it appeared, the war must terminate in the entire ruin of the conquered. Even the comitia of the two nations acted very differently. The Romans augmented the number of their military.



tribunes with consular power. For this year they elected eight (*a*), a greater number than had ever been created on any former occasion, viz. Manius Æmilius Mamercinus a second time, L. Valerius Potitus a third time, Appius Claudius Crassus, M. Quintilius Varus, L. Julius Iulus, M. Posthumius, M. Furius Camillus, and M. Posthumius Albinus. Whereas the Veientes, quite weary of the annual intrigues about the election, which sometimes occasioned broils, chose themselves a king. This step gave great offence to the other Hetrurian states, not more from an abhorrence of monarchy, than a particular dislike to the person of this king. As his haughty and over-grown power had formerly rendered him insupportable to those people; so he had violently interrupted their yearly games, wherein they thought it unlawful to make any intermission. For as the twelve lucumonies had in the election of an high priest preferred another to him, in resentment of this affront he took the opportunity, when the celebration of the games was half over, to carry off all on a sudden the actors, a great part of whom were his own slaves. On this account the Hetrurians, who are more given to the observance of religious rites than any other nation, because they excel in a decent performance of them, resolved in their general diet to refuse aid to the Veientes, as long as they should continue under regal government. The accounts of this resolution were suppressed at Veii for fear of the king, who would have treated him that should have brought such news, as a ringleader of sedition, though he would not have been author of a groundless story. Although the Romans had intelligence from Hetruria, that all the states there were quiet, yet upon receiving advice that this affair had been debated in all their councils, they secured their camp between two lines (*b*); the one raised against the city, to defend them from the sallies of the townsmen; the other facing Hetruria, to prevent any succours that might happen to come from thence.

II. As the Roman generals had greater hopes of taking this city by blockade than by assault, they began to build winter barracks (*a*), a thing quite new to the Roman soldiery, intending to continue the war during the winter. But when this news reached Rome, the tribunes of the people, who for a long time had found no occasion of raising disturbances, repaired in great hurry to the assembly, and exasperated the minds of the commons. They represented, "that this was the view, in granting pay to the soldiers. Nor had they been deceived, when they suspected this largess of their enemies to be gilded poison (*b*). It was the

price of the people's liberty. The youth were for ever removed and banished from the city and republic; and without regard to its being winter, or to the rigorous season of the year, were not allowed to visit their houses and estates. What did they take to be the cause of thus continuing the campaign? Truly they would find no other but a design to prevent the passing of any act for the benefit of the plebeians, in full assembly of those youth, who were the main strength of the people. Besides the Roman army endured greater hardships and fatigues than the Veientes themselves. For the latter, defending their town within good walls, and by the strength of its natural situation, passed the winter in their houses; whereas the Roman youth, buried in snow, and covered with frost, amidst toil and hard labour, endured the rigour of the season in tents (*c*), without laying aside their arms even during winter, a time when all war is suspended both by sea and land. Neither the kings, nor even the haughty consuls before the creation of tribunician authority, nor the rigorous unlimited power of a dictator, nor even the cruel decemvirs, had imposed a yoke of servitude like this, to which the military tribunes subjected the people, in forcing them to keep the field during the whole year. What would these have done, had they been consuls or dictators, who made the proconsulate, which was but the image of consular authority, so severe and rigorous? But you have deservedly met with this fate, seeing there was not so much as room for one plebeian among eight military tribunes. The patricians used formerly to struggle hard before they could fill up three of those places. Now eight at a time come to be advanced to the supreme authority; and yet in all that number there is not room for one plebeian, who, if he could do nothing else, might put his colleagues in mind that the soldiers were not slaves, but freemen and fellow citizens, and ought, at least in the winter season, to be brought back to their homes and houses; that they might, at some time of the year, see their parents, children, and wives, be in possession of their liberty, and give their suffrages in the election of magistrates." The tribunes loudly exclaimed in these and other such expressions, but found an adversary, every way their match, in the person of Appius Claudius, who had been left by his colleagues to suppress their seditions. He had been, even from his youth, inured to contend with the plebeians, and, as we have observed, some years before this had advised rendering the power of the tribunes ineffectual by the interposition of their own colleagues (*d*).



III. As this magistrate had not only a very ready wit, but long practice in declaiming, he on that occasion made the following speech?—"Romans, if ever it were dubious, whether your tribunes constantly raised seditions on your own or their account, I am certain, your doubts on that score are removed this year; and while I rejoice that you are at length convinced of a mistake you have so long laboured under, I at the same time congratulate you, and the republic for your sakes, that the prosperity you now enjoy contributes so much to the removal of this error. Can any one in the least question but your tribunes are more offended and provoked at the patricians' liberality to the people, when they granted pay to the soldiers, than with any injuries you have suffered, if, indeed, you have suffered any? What else, do you imagine, alarmed them at that time, or what is it they now want to disturb, except the harmony of the two orders of the state, which they apprehend will prove the certain ruin of their power? Thus, like knavish physicians, they seek employment for themselves; and would be glad to see the state always diseased, that you might apply to them for a cure. Whether, tribunes, are you protectors or enemies of the people? Are you adversaries to, or advocates for the soldiers? Perhaps you will answer, neither, but that you are displeased with whatever the patricians do, whether for or against the interest of the people. And as masters forbid their slaves all intercourse with other men, and think it reasonable that none but themselves should use them well or ill; so you prohibit the patricians all commerce with the commons, lest we, by our compliance and liberality, should oblige them, and they, in their turn, should pay regard and obedience to our orders. But pray, how much rather ought you, if you had, I do not say regard for the benefit of the state, but any spark of humanity in you, to contribute your utmost endeavours to promote and cherish this complaisance in the patricians, and that obedience in the people? For should this good understanding perpetually subsist, who would not confidently promise, that this our empire would, in a short time, be the greatest among all the neighbouring nations.

IV. "I shall by and by clearly demonstrate, how much the resolution of my colleagues not to withdraw the forces from before Veii, till it is taken, is not only advantageous, but even necessary; at present, give me leave to speak of what concerns the condition of the troops there. And I am convinced, that not only you, but was I to speak in the camp, and the soldiers to be my judges, even they would think what I am about to suggest very reasonable: for if I could think of nothing to urge in this business,

I should certainly rest satisfied with what my adversaries have said, and confute them from their own speeches. They lately insisted that the soldiers ought not to have pay allowed them, because no precedent could be brought for such allowance. With what face then can they now take umbrage, at an additional service, and proportioned to their gain, being imposed on them, who have received an augmentation of profit? Labour is never without its reward, nor is advantage in most cases to be had without pains-taking. Pains and pleasure, though in nature very unlike, yet have a kind of natural connexion with each other. The soldier formerly repined at doing the public service at his own cost, but was glad to employ a part of the year in cultivating his land, to get subsistence for his family at home, and for himself when he took the field. Now he rejoices that his gain arises from the republic, and receives his pay with gladness. As he is at no expence, let him keep the field some time longer, and patiently bear being absent from home, and his family affairs. Should the public call him to account, might it not with reason say, you are paid for the whole year, therefore do a whole year's service? Do you think it reasonable to receive pay for the whole year, when you do but six month's duty? Romans, the mention of these things gives me sensible pain; for they only, who employ mercenary troops, ought to talk at this rate. We desire to act with you as with fellow citizens, and think with reason that you ought to act with us as with your native country. Either we should not have undertaken this war, or we ought to carry it on in a manner worthy of Romans, and put an end to it as soon as possible. The means to bring it to a period are vigorously to press the besieged; and not to draw off our troops, till we have crowned our hopes by taking Veii. If, indeed, we had no other reason, the very disgrace of raising the blockade ought to induce our perseverance. In former times there was a city besieged for ten years, by the united force of all Greece, for the sake of one woman; how far from home! how many countries, how many seas distant! And shall we grudge to carry on a siege for one year, within twenty miles, almost within sight of our city? Can it be said the ground of the war is inconsiderable, and we have no just provocation to engage us to prosecute it? No, surely. Seven times have they renewed hostilities; never kept their faith in peace; and have a thousand times ravaged our lands; they forced the Fidenates to revolt, and have massacred the colonies we had amongst that people; they caused our ambassadors to be impiously assassinated, contrary to the law of nations; they wanted

to stir up all Hetrumia against us, and even at this time endeavour it. They were not far from doing violence to our ambassadors whom we sent to demand reparation of damages.

V. "Ought we after this to act gently, and protract the war with these people? But moreover, supposing we were insensible to all these just grounds of resentment, pray do not the following considerations make some impression upon you? The enemy's city is surrounded with considerable works, which keep them close shut up within their walls. Hereby they are prevented from cultivating great part of their lands, and that part is ruined that was cultivated. If we draw off our troops, who can doubt but they, prompted not only by a desire of revenge, but necessity of plundering other people's country, now they have lost their own, will invade our territories? We do not, therefore, by following this advice of your tribunes, remove the war from, but draw it into our own country. But with regard to what properly concerns the troops, for whom your good tribunes, all of a sudden, pretend so great a concern, though they would lately have wrested their pay from them, pray let us see what may be the real amount of this concern? The army have, with immense labour, drawn a ditch and rampart through a large tract of ground. On them they at first formed only a few forts, but have since increased their number in proportion as the troops were reinforced. They have raised works not only against the town, but against Hetrumia, in case the besieged should have any succour sent from thence. Why need I mention the towers (*a*), galleries (*b*) and mantelets (*c*), with all the other machines used in sieges? And having gone through so much labour, and brought our works to perfection, are you of opinion that they ought to be abandoned, that the army may undergo the same toil in renewing them in summer? How much easier will it be to preserve them, to press and continue the siege with vigour, and, by perseverance, accomplish our designs: for certainly it will last but a short time, if we continue it without intermission, and do not ourselves frustrate our hopes by interruptions and delays of our own making. Hitherto I have spoke of the labour we must undergo, and of the loss of our time. But to proceed. What must we think of the danger we incur by protracting the war? Will those frequent deliberations of the Hetrumian diets upon sending aid to Veii, suffer us to overlook them? As matters now stand, these states are incensed against the Veientes; they hate them, and have refused to send them assistance; nay, as far as lies in their power, leave us at liberty to take their town. But who will undertake, that, in case the war is delayed, they should continue in the same mind?

For if we give the Veientes time to breathe, they will send more frequent and more important embassies. And the king at Veii, who now gives umbrage to the other Hettrurian lucumonies, may in time be deposed, by the common consent of his subjects, that by this means they may regain the favour of those states, or he voluntarily abdicate, that his government may be no obstacle to the safety of his dominions. Consider seriously how many inconveniences and disadvantages will result from following the counsels of your tribunes: the loss of works raised with so great labour; the impending devastation of our country; and a war with all the Hettrurian states instead of one with Veii. These, tribunes, are the measures you advise; and wherein your conduct exactly resembles his, who by giving some delicious meat or agreeable potion to a sick person, prolongs his distemper, and perhaps renders it incurable; whereas the patient might have quickly recovered, if he would have resolutely endured a rougher cure.

VI. "And truly, though this winter campaign was of no essential concern to the present war; yet certainly it would contribute much to the advancement of military discipline to accustom our troops, not only to enjoy the fruits of the victories they gain, but, when the war is protracted, to bear the tediousness thereof with patience, and wait the issue of their hopes, however long it may be deferred; to continue the war during the winter if it could not be terminated in the summer; and not like summer birds, as soon as autumn comes on, look round for houses of shelter and a safe retreat. But, I beseech you, does the strong desire and pleasure of hunting hurry men over mountains and through forests covered with frost and snow; and shall we not shew the same patience in a necessary war, which we are wont to discover in pursuit of sport and pleasure? Do we think the bodies of our soldiers so enervated, and their minds so soft and effeminate, that they cannot continue in their camp or be absent from home for one winter? That like those who carry on a war by sea they must watch the changes of weather, and observe seasons; and are incapable of bearing either heat or cold. Were they to be told so, they would surely blush and assert, that they wanted neither a manly courage nor hardy bodies, and could make war as well in winter as in summer: that they had not commissioned the tribunes to patronize effeminacy and indolence, and were still mindful that their ancestors were not under shades or roofs when they instituted the tribunician power. Such sentiments are worthy of your brave soldiers, worthy of the Roman name! not to re-

gard the Veientes, and the present war alone, but to extend the view farther, and endeavour to secure a reputation to prepare you for other wars, and for dealing with other nations in times to come. Do not you imagine your character will be greatly affected by your behaviour in this instance? Are you indifferent, whether the neighbouring nations consider the Romans as a people from whom a city can have nothing farther to fear, after it has stood your first attack, which at the same time will be very short? Are you not concerned to establish the terror of our name upon a firm persuasion, that neither the tediousness of a long, siege, nor the rigours of the winter, are capable of making a Roman army abandon a town they have once invested; that you know no other end of war excepting victory; and distinguish yourselves as much by your perseverance, as the violence of your attacks? Perseverance, indeed, is necessary, in all kinds of warfare, but more essentially so in besieging towns; most part of which, though impregnable by reason of their fortifications and natural situation, are yet in time reduced to surrender, by hunger and thirst; as Veii will be, if your tribunes do not aid the enemy, and the Veientes find not that assistance at Rome which they in vain sought in Hetruria. Can any thing fall out more grateful to that people, than the seeing Rome first, and then, as it were by contagion, the camp, filled by seditions? On the contrary, our enemies are so quiet, that neither a tedious siege, nor the oppression of monarchy, have occasioned any revolution amongst them. The Hetrurians refusing to assist them has not excited them to mutiny. Whoever there shall raise a sedition, will immediately be put to death; nor dare any of them mutter what you discourse of with impunity; for whoever deserts his colours, or abandons his post, incurs the bastinado. But in Rome they who advise not one or two soldiers, but whole armies, to leave their colours, and quit their camp, are heard with applause in public assemblies; so that you are accustomed to listen, with patience, to whatever your tribunes please to say, even though it tend to betray your native country, and ruin the commonwealth. Bewitched with the sweets of tribunician power, you mind not what crimes may lay concealed under it. They need only to make the same clamour among the troops in the camp that they do here; to corrupt the army, and cause them to disobey their officers; for liberty at Rome is at length made to consist in regarding neither senate, magistrates, laws, customs of our ancestors, institutions of our venerable fathers, nor military discipline."

VII. Appius was already a match for the tribunes of the people, even in their assemblies, when the sudden news of a loss the army had sustained before Veii, an incident from which one would never have expected such an effect, gave him a complete victory over them in the present cause, and likewise more closely cemented the good understanding between the two orders of the state, at the same time inspiring them with ardour more vigorously to continue the siege. For having raised a mount (*a*) near the town, and nothing remaining but to fix the galleries to the walls; while they were more intent on carrying on their works by day than guarding them by night, on a sudden a gate of the town was opened, and great numbers, armed chiefly with torches, sallied out, and set fire to the Roman works. In an instant it consumed both the mount and the galleries, which had cost so long time to raise: nay many, who in vain endeavoured to extinguish the flames, were either burnt to death, or killed by the enemy. When this news was brought to Rome, it occasioned great sorrow among all ranks, but made the senators anxious and apprehensive, lest it should be impossible to prevent a sedition both in the city and in the camp, and the tribunes should insult the commonwealth as if they had gained a victory over it. But quickly, such as had estates sufficient to entitle them to be enrolled in the rank of knights; to whom the public had not assigned horses (*b*), having consulted together, repaired to the senate. There, having obtained audience, they promised, "to serve the state on their own horses." After the senate had thanked them in the most gracious manner, and the report of their generous offer had spread all over the city and forum, the commons suddenly assembled in crowds round the senate-house, saying, "That as they belonged to that order which then served on foot, so they freely, without being levied in the ordinary form, offered their service to the republic, either at Veii, or wherever else the senate pleased to send them. And if they should be led to Veii, they would never return from thence, till they should take that city from their enemies." It was then impossible to set bounds to the transporting joy this zeal of the people occasioned; for they were not ordered to be thanked, as the knights had been, by magistrates appointed on purpose; nor were any of them called into the senate-house, to receive an answer: neither could the senators be kept within their house, but placed themselves on an eminence, whence each in his own name expressed his joy, both by words and gestures, to the people assembled below in the forum. They cried out, "That this concord would make Rome

happy, invincible, and eternal." They praised the knights, praised the plebeians, nay even declared the day itself worthy of grateful remembrance, and confessed that the senate was now outdone in complaisance and generosity. Both patricians and plebeians, in noble emulation, shed tears of joy. At length the members being recalled to the house, they passed this decree: "That the military tribunes should call an assembly, and thank the cavalry and infantry, and assure them that the senate would never forget the generous concern they had shewn for the good of their native country. They likewise ordered, that those who had voluntarily offered to serve in the war without being levied in form, should be allowed pay from that time." On this occasion, a constant and fixed pay was also granted to the knights (*c*). And this was the first time they began to receive pay on account of their military service. This army of volunteers marched to Veii, where they not only repaired the ruined works, but raised new ones. Provisions were brought from the city with greater care than ever, that an army which deserved so well of the state might want for nothing.

VIII. The military tribunes chosen for next year were C. Servilius Ahala, a third time, Q. Servilius, L. Virginus, Q. Sulpicius, A. Manlius, a second time, and Manius Sergius, a second time. While, under these tribunes, all were solely intent upon the Veientine war, by the negligence of those who kept garrison at Anxur, in giving furloughs to the soldiers, and admitting the Volscan merchants, the sentinels at the gates were betrayed, and the fort surprised. Few of the soldiers perished, because, excepting such as were sick, they all followed the business of sutlers in the adjacent country and neighbouring towns. Neither had the Romans better success before Veii, which then engrossed the whole care of the public. For the Roman generals shewed greater enmity among themselves, than courage against the enemy; besides, the strength of the Veientes was also augmented by the sudden accession of the Capenates (*a*) and Falisci. These two Hettrurian nations were apprehensive, that after the conquest of Veii, to which their countries lay contiguous, the Romans would next fall upon them. The Falisci likewise were obnoxious to the Roman resentment on a particular account; for they had formerly taken part in the war with the Fidenates. Having, therefore, sent deputies up and down to the neighbouring states, they bound themselves under an oath, and marched, when least expected, with their armies to Veii. They happened to attack that quarter of the Roman camp where the military tribune Ma-

nius Sergius commanded, and struck great terror into his troops; for the Romans imagined that all Hetruria was up in arms, and was already arrived in a full body. The Veientes within the city were of the same opinion, and immediately made a sally. Thus was the Roman camp assaulted on both sides, and while they ran to and fro, charging sometimes in one place, and sometimes in another, they were neither able to keep the Veientes within their fortifications, nor defend their own lines, and save themselves from the enemy on the outside. Their only hope was in being supported by troops from the grand camp, that some of the legions might make head against the Capenates and Falisci, while others withstood the sallies of the townsmen. But Virginius, who secretly envied, and was an enemy to Sergius, commanded the grand camp. When he was told that most of their forts were assaulted, their lines broke through, and the enemy advancing on both sides, he kept his troops under arms, saying, if his colleague should want his assistance, "he would send to him." Sergius's obstinacy equalled Virginius's arrogance; for, that he might not seem to ask aid from one with whom he was at variance, he chose rather to be defeated by the enemy than be obliged to his fellow-citizen for victory. Thus between them the troops for a long time were slaughtered; but at length, abandoning their lines, a few fled to their grand camp, but Sergius, at the head of the greatest part, made his escape to Rome. Here, as he laid the whole blame upon his colleague, Virginius was ordered to be sent for from the camp, and the command given to the lieutenant-generals in his absence. Then the senate made enquiry into the affair, and in the debate the two colleagues ran into invectives against each other. Even few of the senators minded the public interest, but almost all stood up for one or other of the two tribunes, as private friendship or favour determined them.

IX. The principal senators were of opinion, that, whether this ignominious defeat had happened through the fault or misfortune of the generals, they ought not to wait the ordinary time fixed for assembling the comitia; but to proceed immediately to the election of new military tribunes, who should enter into office on the first day of October. This opinion being generally approved of, the rest of the military tribunes acquiesced. Only Sergius and Virginius, on whose account it appeared the senate were displeased with that year's magistrates, at first earnestly begged not to be disgraced, and then protested against the senate's decree, refusing to quit their magistracy till the thirteenth of December, the usual time when magistrates entered into their office. Upon



this the tribunes of the people, who had contrary to their inclinations been quiet while they saw the good understanding which subsisted between all ranks, and the state in a flourishing condition, began all on a sudden imperiously to threaten that they would imprison the military tribunes, if they did not obey the senate's decree. Then C. Servilius Ahala, a military tribune, addressed himself to them. "Tribunes of the people, as to you and your menaces, truly I would willingly see it proved by experience, that you have no more courage to execute them, than right to utter them. But it is criminal to contend against the authority of the senate. Cease, therefore, to make our differences a handle for doing injustice. As to my colleagues, they shall either submit to the senate's decree, or, if they are refractory, I will immediately nominate a dictator, who can oblige them to quit their office." Every body approved of this speech, and the senators were very much pleased that a more effectual method was found out for conquering the obstinacy of magistrates, without employing the terrors of the tribunician power. Sergius and Virginius being thus overcome, the military tribunes with common consent held the comitia, and elected successors who were to begin their magistracy on the first of October, and the former abdicated their office before that day.

X. The new tribunes with consular power were L. Valerius Potitus a fourth, M. Furius Camillus, Manius Æmilius Mamercius a third, Cn. Cornelius Cossus a second time, Cæso Fabius Ambustus and L. Julius Iulus. Their administration produced work in abundance at home, and many wars abroad. For the republic was engaged in many wars at the same time, against the Veii, Capena, Falerii, and with the Volsci, in order to recover Anxur: besides they laboured under great difficulties, both in making the levies and collecting the taxes at Rome. There was likewise a great struggle in the election of two tribunes of the people by their colleagues (*a*); and the trial of two of the former military tribunes, with consular power, raised no small commotion. The military tribunes, however, postponed every thing to making the levies. They not only listed the young men, but even obliged the old to enrol themselves to serve as a guard to the city. The more the number of the soldiers was augmented, the more money became necessary for their pay: and that was raised by a tax on those that remained at home, who were very unwilling to pay it, because they did the duty of soldiers, and served the state in defending the city. And the tribunes of the people endeavoured to render these real grievances more intol-

nable by their seditious harangues. They represented, "that the design in granting pay to the soldiers was to ruin part of the people by service in the war, and part by the imposition of taxes. One war was already protracted to the third (*b*) year, and had been designedly ill managed, in order to continue it longer. Now at one levy armies were raised for four separate wars, and both boys and old men mustered to complete them. Now they made no difference between summer and winter, and gave the distressed people no respite. To crown all their miseries, they now loaded them with taxes; so that when they returned with bodies worn out by fatigues, wounds and old age, and found all their lands uncultivated by the long absence of their owners, they must pay tribute out of their ruined estates; and return their pay for military service manifold to the commonwealth, as if they had only received it as a loan for which they were to pay interest." Besides the levies, taxes, and other cares of more importance, which distracted them, the number of tribunes of the people could not be filled up at the comitia (*c*). Then the patricians caballed to have the vacant places supplied out of their own body. But not being able to obtain this, yet for the sake of invalidating the Trebonian law (*d*), means were taken to have C. Lacerius and M. Acutius chosen tribunes of the people by appointment of the other eight, and that no doubt by the influence of the patricians.

XI. It happened by chance that among the tribunes of the people chosen for that year, there was one named Trebonius, who thought it an obligation he lay under to his name and family, to defend the Trebonian law. He exclaimed "that the military tribunes had extorted what some patricians had sued for, but had been repulsed at the first attempt. The Trebonian law was in effect abrogated, and the tribunes of the people elected, not by the suffrages of the plebeians, but by the command of patricians; and the matter now come to that pass, that the plebeian tribunes were either actually patricians, or such as were retained by them: the sacred laws were taken away, and the tribunes' power wrested from them. All these were owing to the fraudulent practices of the patricians, and the wickedness and treachery of his colleagues." As by this means not only the senators, but even the tribunes of the people, as well those who were elected, as those who had chosen their colleagues, were exposed to the resentment of the people; three of their college, P. Horatius, M. Metilius, and M. Minucius, afraid of losing their interest with the people, made an attack upon Sergius and Virginus, two of the military tribunes for the former year, and by

citing them to take their trial, diverted the hatred and resentment of the people from themselves upon them. They made open proclamation, "that such as groaned under the grievances of levies, taxes, a tedious campaign, and the prolongation of the war; they, who lamented the fatal defeat at Veii, whose houses were in mourning for the loss of their children, brothers, kindred and relations; had by their means full power and free access to revenge the public and their own private misfortunes, upon the heads of two criminals, Sergius and Virginus, who were the causes of all these calamities. Nor did this appear more evidently from the indictment of their accuser, than from their own confession, who, conscious of guilt, laid the blame upon each other; for Virginus upbraided Sergius with running away, and Sergius reproached Virginus with treachery. But as it was highly improbable these two could have been so distracted, it seemed more likely that all was acted in concert with, and by the common fraud of the patricians. With a view to protract the war; they had formerly given the Veientes an opportunity of setting fire to the Roman works; they had lately betrayed the army; and surrendered the camp to the Falisci; and all for no other end, than that the youth might grow grey at Veii; that the tribunes might not bring in a bill to the people about the partition of lands, or any thing else to their advantage; that they might not have a sufficient number of citizens to support their bills, and to enable them to make head against the conspiracy of the patricians. Moreover, the senate, the Roman people, and even their own colleagues, had beforehand condemned the criminals. For, by a decree of the former, they had been removed from the public administration of affairs: and when they had refused to quit their office, their colleagues had constrained them to it, by menacing them with a dictator; and the Roman people had appointed new tribunes, who, without waiting the usual day, the thirteenth of December, should enter upon office immediately on the first of October, because the republic could not longer, have subsisted, if they had continued in their magistracy. And yet these men, convicted beforehand, and condemned by so many judges, came to take their trial before the people, thinking themselves acquitted, and sufficiently punished, by being reduced to the condition of private persons, two months before the usual time. Not did they understand, that then only the power of doing farther mischief was taken from them, but no punishment inflicted; for their colleagues, who surely were guilty of no offence, had likewise been turned out of office. Let the Romans, therefore, resume the same sentiments

they were of on receiving the late defeat, when they saw their frightened army flying, all covered with wounds, and marching in a panic into their gates, accusing neither fortune, nor any of the gods, but these two generals. As for themselves, they were well assured, that every single person in the assembly that day cursed and detested the persons, families and fortunes of L. Virginius and M. Sergius. And it would then ill become the people not to use their power, when they both could and ought, against those upon whom each of them invoked the vengeance of the gods; for the gods never punished criminals themselves; it was sufficient that they gave the injured an opportunity of taking revenge."

XII. The people, inflamed by these speeches, condemned the criminals in a fine of ten thousand asses of brass (*a*), while Sergius in vain pleaded the common chance and fortune of war, and Virginius conjured them not to make him more unhappy at home than he had been in the war. The resentment of the people being thus turned against these two generals, quite cancelled all remembrance of the election of tribunes by their own colleagues (*b*), and of the treacherous attempt made upon the Trebonian law. The victorious tribunes, to give the people a present reward for their sentence, published the Agrarian law, and forbade collecting the tax; though pay was necessary for so many armies, and their arms were so successful, that the war was like to come to the wished for period without any fighting. For their camp at Veii, which had been taken was now recovered, and furnished with sufficient forts and guards. The tribunes M. Æmilius and Cæso Fabius commanded there. M. Furius among the Falisci, and Cn. Cornelius, in the dominions of Capena, found no enemy in the field. They, therefore, carried off a great booty, burnt the enemy's corn fields and villages, and laid waste their country, without either assaulting or besieging their towns. After plundering the lands of the Volsci, they attempted to take Anxur by storm; but, as it was situated upon an eminence, they were disappointed, and began to blockade it, by surrounding it with a moat and a rampart. The province of the Volsci had fallen by lot to Valerius Potitus. While military affairs were in this situation abroad, an intestine sedition broke out with greater violence than that which obtained in carrying on the war; and as the tribunes would not suffer the tax to be levied, and no money was remitted to the generals, the soldiers loudly demanded their pay, and the camp had like to have been infected with the same sedition which plagued the city. While the plebeians thus vented their resentment against the patricians, the tribunes of the people

said, that now was the time to establish their liberty on a firm foundation, and to transfer the supreme authority from such patricians as *Sergius* and *Virginus*, to brave and stout plebeians. But they proceeded no farther than creating one commoner, *P. Licinius Calvus*, a military tribune, with consular power, and that, for the sake of asserting their right. All the rest were patricians, *P. Mænius*, *L. Titinius*, *P. Mælius*, *L. Furius Medullinus*, and *L. Publilius Volscus*. Not only *Licinius*, who was elected, but even the people themselves were amazed at gaining this grand point. *Licinius* had never borne any public office before, and was only an ancient senator (*c*), and now far advanced in years. Nor can a sufficient reason be assigned for his being pitched upon first, and as the properest person to fill this honourable station. Some believe he was singled out for this dignity, out of respect to his brother *Cn. Cornelius*, who had been military tribune the preceding year, and had given triple pay to the soldiers. Others say, that he himself made a seasonable speech, recommending harmony between the two orders of the state, much approved by both patricians and plebeians. The tribunes of the people were so overjoyed at this victory gained in the comitia, that they dropped their opposition to the tax, which had very much embarrassed the state, whereupon it was collected without any difficulty, and the money remitted to the army.

XIII. In the country of the *Volsci* *Anxur* was soon after retaken by the garrison's neglecting their duty on a holiday. This year was remarkable for a cold winter, and the quantity of snow that fell. For the roads were choaked up, and the *Tiber* innavigable. Yet the stores laid in before prevented the price of provisions from rising. And as *P. Licinius* had, without any caballing against him, received his magistracy with greater joy on the part of the people, than indignation on the part of the senators, so he executed it without offence to either; which inspired the commons with a strong desire of creating military tribunes of their own body at the next ensuing comitia. Only one patrician candidate, *M. Veturius*, succeeded at the election, and almost all the centuries chose plebeians to fill up the other places of military tribunes with consular power. Their names were *M. Pomponius*, *C. Duilius*, *Volero Publius*, *Cn. Genucius*, and *L. Atilius*. Whether it was owing to the unwholesomeness of the weather, which changed suddenly from extreme cold to excessive heat, or to some other cause, this severe winter was succeeded by a summer noxious and pestilent to all kinds of animals. As they could

neither find out the cause or cure of the distemper that raged at that time, the senate ordered the sybilline books to be consulted. And the Duumvirs, who had the care of performing the sacred rites, having spread three beds, with as splendid an apparatus, as the simplicity of these times would allow, celebrated a solemn festival for eight days in order to appease Apollo, Latona and Diana, Hercules, Mercury and Neptune, which was the first institution of the Lectisternium (*a*). This religious ceremony was likewise celebrated by private families. Open house was kept through all the city, and every thing brought out into the open air, to be used in common, every body, known and unknown, and all strangers, were entertained with the greatest welcome. Persons at variance, laying aside all animosities and processes, kindly and courteously conversed with one another. Prisoners had their chains knocked off, and enjoyed their liberty during the days of the festival; nay, after it was over, it was a point of religion not to confine again those who had been set free to assist at the feasts of the gods. But manifold were the causes of terror at Veii, since they had three united enemies to deal with at once; for all on a sudden the Capenates and Falisci, as they had done before, came to its assistance, and invested the camp, so that the Romans fought on all sides against three armies. But the remembrance of Sergius's and Virginus's condemnation proved the strongest incitement to the troops. For being immediately led round by a shorter way from the grand camp, the battalions of which had before stood inactive (*b*), they fell upon the rear of the Capenates, who had attacked the Roman lines. The battle beginning there struck terror into the Falisci, and they were put to flight in this consternation by a sally seasonably made from the lesser camp. When they were repulsed, the victorious Romans pursued and made a great slaughter of them. Nor was it long before the troops which ravaged the lands of the Capenates, met, as it were by chance, the remains of this army straggling through the country, and cut them all off. And many of the rear of the Veientes, who retreated to the city, were killed before their gates, that were shut against them, for fear the Romans should enter along with them.

XIV. These were the memorable events of this year. And now the comitia for the election of magistrates approached, about which the patricians were more anxiously solicitous than about the war; for they saw with concern, that the supreme authority was not only shared with the commons, but almost lost to the patricians. They therefore, by concert, prepared persons of the

highest quality and character, to stand candidates, and such as the people would be ashamed to set aside. But moreover, as if they had all been candidates, they tried all means, and not only engaged men, but even importuned the very gods, to favour them. For they raised religious scruples about the comitia which had been held the two preceding years; representing, "that the year before the rigour of the winter had been intolerable, and ushered in by terrible (*a*) celestial prodigia. The next, indeed, they had had no prodigies, but the event of them, a plague both in country and city, which, without doubt, was the effect of the anger of the gods, whom the books of their fates (*b*) had directed them to appease, in order to remove the pestilence. For the gods had declared their displeasure, at honours being prostituted, and the distinction of families confounded in comitia, held under proper auspices." Besides the dignity of the candidates, the people were over-awed by religion, and therefore chose for military tribunes with consular power, all patricians, and the greatest part of these the most honourable of that order. Their names were L. Valerius Potitus a fifth, M. Valerius Maximus, M. Furius Camillus a second (*c*), L. Furius Medullinus a third, Q. Servilius Fidenas a second, and Q. Sulpicius Camerinus a second time. Nothing memorable was performed before Veii, during their administration; for they committed no other act of hostility, except employing their forces in pillaging. The two generals-in-chief brought away great booty, Potitus from the Falisci, and Camillus from the Capenates, sparing nothing that could be destroyed by fire or sword.

XV. In the mean time there were reports that many prodigies had been seen, but the most part of them were slighted, or little credited, because supported only by the testimony of single witnesses, and likewise because now they were at war with the Hetrurians, they had no soothsayers to explain them. Yet a particular one engaged the attention of every body. A lake (*a*) in the grove of Alba, without rain, or any other apparent cause, to shew it was no prodigy, rose to an uncommon height. Deputies were sent humbly to enquire at the oracle of Delphos, what the gods presaged by this prodigy. But the fates raised up an interpreter nearer home, a certain old man at Veii, who amidst the mutual reproaches of the Roman and Hetrurian guards and sentries on their posts, cried out in an enthusiastic manner, "that the Romans would never become masters of Veii, till all the water was let out of the Alban lake. At first this was slighted as a mere random expression, but soon after began to be talked of more

seriously. At length one of the Roman sentries asked the next townsman (with whom he had made an acquaintance, through the long continuance of the war) who that old man was, who had used this obscure expression concerning the Alban lake. When he heard he was a diviner, being one not without a sense of religion, by pretending, that he wanted to consult him about explaining a prodigy which had happened to himself, if he could assist him in it, decoyed the soothsayer to a private conference. Having both gone out to a good distance from their own men, without their arms, or the least jealousy, the Roman, being a stout young man, caught up the old feeble Veian, in sight of both people, and, while the Veientes loudly exclaimed at it, carried him to the Roman camp. He was first brought before the general, and then sent to Rome to the senate. When they examined him on what he had prophesied concerning the Alban lake, he answered, "Surely the gods had been angry with the Veientine nation on that day, when they had put it into his thoughts to discover the fatal secret, which will ruin his native country. But, what he had then uttered by a divine impulse he could not now recall, so as it should still remain a secret; nay, perhaps, he would have contracted no less guilt by concealing what the immortal gods had determined should be revealed, than by discovering what ought to have been concealed. But thus it was recorded in the books of the fates, and this was a tradition confirmed by divination among the Hettrurians, that if, when the Alban lake swelled to an extraordinary height, the Romans, with proper ceremonies, should let all the water out of it, they should gain the victory over the Veientes. But till that time, the gods will not abandon the walls of Veii (*b*)."

Then he proceeded to inform them in what manner the drains to carry off the water were to be made. But the fathers thinking his authority too slight and not credible enough to be relied on in a matter of so great importance, decreed to wait the return of the deputies from Delphos, with the answer of the Pythian oracle.

XVI. Before the return of the deputies from Delphos, or an expiation of the Alban prodigy was found out, new military tribunes with consular power entered into office, viz. L. Julius Iulus, L. Furius Medullinus a fourth time, L. Sergius Fidenas, A. Posthumius Regillensis, P. Cornelius Maluginensis, and A. Manlius. In that year the Tarquinienses, a new enemy, started up. They saw the Romans engaged in many wars at the same time; with the Volsci, who besieged the fort at Anxur; the Æqui, who invested the Roman colony at Lavicum, and besides



with the Veientes, Falisci and Capenates; they likewise saw the Roman affairs within the city were no less embarrassed by reason of the contests between the patricians and plebeians. Wherefore, deeming this a fit opportunity to fall on them, they sent several light armed cohorts to ravage the Roman lands. They flattered themselves that the Romans would either let this injury pass with impunity, for fear of burdening themselves with a new war, or pursue them with an inconsiderable army, which would not be able to dispute the victory with them. The Romans were not so much alarmed at the ravaging of their lands by the Tarquinienses, as they resented the baseness of the action. Therefore they did not make great preparations to punish them, nor did they long defer taking their revenge. A. Posthumius and L. Julius, being hindered by the tribunes from making a levy in form, got together an army of volunteers, which they had engaged by their persuasions, and making a circuit through the country of Cære, surprised the Tarquinienses on their return from pillaging, and loaden with spoil. They killed many of their men, and stripped them of all their baggage; and having recovered the plunder of their lands, returned to Rome. The owners had two days time allowed them to pick out their own effects. On the third, what was not owned, the greatest part of which belonged to the enemy, was put up to public sale, and the price of it divided among the soldiers. But the success of the other wars, especially that at Veii, was uncertain. And the Romans, now despairing of human help, relied solely on the fates and gods. This was the situation of their affairs when the deputies returned from Delphos, with the answer of that oracle, which agreed exactly with what the captive diviner had foretold. It was this: "Romans, take care not to let the water remain in the Alban lake; take care not to let it run into the sea in one continued stream. Let it out and water the land with it; carry it off by many small drains, till it insensibly lose itself in the ground. Then boldly attack the walls of Veii, mindful that these very fates, whose decrees are now revealed, give you the victory over a city, which you have besieged for so many years. When the war is ended, and you are conquerors, bring a large present to my temples, and take care to re-establish the religious institutions of your country, with the usual ceremonies which have been neglected."

XVII. This gained the captive soothsayer great reputation, and two of the military tribunes, Cornelius and Posthumius, began to make use of him, in order to expiate the Alban prodigy, and appease the gods in due form. At length, likewise, they

found out, that what the gods accused them with in regard to neglect of ceremonies, and the omission of solemn yearly festivals, was nothing else than a defect in the election of magistrates, and that the festival in honour of Jupiter Latialis (*a*), and the sacrifice on mount Alba, had not been celebrated in a proper manner. These omissions could only be expiated by the military tribunes abdicating their office, the auspices being repeated anew, and the government returning to an interregnum. All which things were accordingly done by a decree of the senate; and three persons, L. Valerius, Q. Servilius Fidenas, and M. Furius Camillus, successively performed the office of interrex. In the mean time there were continual disturbances; for the tribunes of the people opposed assembling the comitia, till they first obtained a promise, that the greater part of the military tribunes should be chosen out of the commons. During these transactions, the states of Hetruria met in a general diet at the temple of Voltumna, where the Capenates and Falisci demanded that all the lucumonies of Hetruria should, with one resolution and consent, raise the siege of Veii. But they were answered by the diet, "That they had formerly refused aid to the Veientes, because it was unreasonable they should ask it from them, whom they had not advised with before they undertook an affair of so great importance. But, at present, the state of their own affairs would not allow them to send relief thither. This, in particular, was the case of that part of Hetruria bordering upon the Gauls, a strange nation lately settled on their frontier, with whom they had no assurance of lasting peace, though as yet no certain prospect of war. Yet, on account of their relation and name, they would so far shew regard to the present danger of their kinsmen, as not to hinder such of their youth as pleased from going volunteers to that war." This occasioned a report at Rome, that a great number of enemies were advancing; and it had this good effect, that a concern for the public danger began to allay their intestine broils.

XVIII. P. Licinius Calvus was by the prerogative tribe chosen military tribune, without suing for it, and even without opposition from the patricians. They had experienced this plebeian's moderation in his former tribunate (*a*), and he was now very old. Besides, it appeared that his colleagues would be chosen out of those who had served the same year with, or the year immediately after him (*b*), viz, L. Titinius, P. Mænius, P. Mælius, Cn. Genucius, and L. Atilius. But after the rest of the tribes were called in due order (*c*), and before the candidates were declared duly

elected, P. Licinius Calvus, with the permission of the interrex, thus addressed the assembly:—"I perceive, Romans, that, in remembrance of our former magistracy, you are inclined, as an omen of harmony, which is more especially necessary in the present situation of our affairs, to re-elect for next year my colleagues in the military tribunate, whom experience has rendered better qualified to be at the head of your affairs. But as for myself, I am not the same man I was then, and you see nothing left but the shadow and name of P. Licinius. My bodily strength is decayed, my eyes dim, my hearing dull, my memory fails, and the vigour of my mind is blunted. Lo here, says he, (holding his son by the hand) is a youth, the image and picture of that Licinius, whom you formerly chose as the first military tribune from among the plebeians. This son, whose manners I have carefully formed after my own principles, I give and devote to the republic in my stead: and I beseech you, Romans, to confer this honour, which of your own accord you offer unto me, upon him at his own request, and the earnest solicitations his father adds in his behalf." His desire was granted, and his son P. Licinius was declared military tribune with consular power, in conjunction with those whom we have mentioned above (*d*). Titinius and Genucius, two of the military tribunes, went on an expedition against the Falisci and Capenates, and acting therein with greater bravery than precaution, fell inconsiderately into an ambuscade. Genucius wiped off the stain of his rashness by an honourable death; for he fell before the ensigns, fighting bravely at the head of his troops. Titinius rallied his men, after they had recovered from their fright, and having gained an eminence, drew them again up in order of battle. But he did not offer to face the enemy on fair ground. The disgrace was greater than the loss they sustained. Yet the Romans had like to have suffered much by it. For the report of this battle being much exaggerated, not only occasioned a terrible alarm at Rome, but likewise in the army before Veii. For a report having spread over all the camp there, that the victorious Capenates and Falisci, after having cut off the Roman troops with both their generals, were not far off with all the Hettrurian youth, it was with difficulty they could be kept from flying. There was still greater confusion at Rome; for it was believed there, that the camp at Veii was already attacked, and part of the enemy in full march to attack the city. The citizens ran to the ramparts, and the ladies, whose fears for the state had driven them in troops from their houses, offered up supplications in the temples, and earnestly implored the gods, that if the

Romans had, by proper rites, renewed the neglected religious ceremonies, and expiated the prodigies, they would protect the temples, houses, and walls of Rome from destruction, and turn all the present terror against Veii.

XIX. By this time the games and the *feriæ Latinæ* were renewed, the waters let out of the Alban lake into the fields, and the destruction of Veii was at hand. Camillus, destined by the fates to destroy that city, and to save his native country, was nominated dictator, and appointed P. Cornelius Scipio general of the horse. This change of the general immediately changed the face of all their affairs. The hope and courage of the Romans, and even the fortune of Rome seemed quite altered. In the first place, he put the military laws in execution, with the utmost rigour, against those who, through fear, had abandoned the camp at Veii, and thereby taught the troops that it was not the enemy they ought chiefly to be afraid of. Having fixed a day for the levies, he in the mean time rode post to Veii, in order to revive the courage of the troops there. After this he returned to raise a new army at Rome, where none refused to enlist themselves. Even foreigners, the Latine and Hernician youth, came from their own country, and offered to serve under him in that war, for which he thanked them in full senate. When every thing was ready for taking the field, the dictator, by order of the senate, made a vow to celebrate the great games (*a*), when Veii should be taken, and to rebuild and dedicate anew the temple of the goddess *Matuta* (*b*), which had formerly been dedicated by king *Servius Tullius*. Then he marched his army from the city, though he thereby engaged the attention, more than encouraged the hopes of the people, and first advanced against the *Falisci* and *Capenates* in the country of *Nepet* (*c*). Fortune, as usual, seconded the prudence and good conduct he shewed in every step he took there. For he not only routed the enemy in battle, but took their camp, where he found a vast booty, the greatest part of which he remitted to the *quæstor*, giving but little to his troops. Then he marched his army to Veii, where he increased the number of the little forts on the lines. And having issued a proclamation against fighting without orders, he reclaimed the soldiers from skirmishing, as they often rashly did, between the wall of the town and their camp, and employed them in useful works. Then he began the most important and laborious work of all, which was to carry a mine into the enemy's citadel. And that it might meet with no intermission, or tire the same persons with continual labour under ground, he divided the pioneers into six different companies, each

of which in its turn was to work six hours at a time. By this means the work was never interrupted night nor day, till a passage under ground was opened into the citadel.

XX. When the dictator saw himself on the point of gaining the victory, and so wealthy a city ready to fall into his hands, in which greater spoil would be found, than had been taken in all the preceding wars put together, to avoid, on the one hand, the resentment of his troops for giving them a less share of the booty than they might expect, and on the other, incurring the displeasure of the patricians by being too liberal and profuse, he wrote to the senate, desiring to know "their mind about disposing of the booty; seeing, by the favour of the immortal gods, his prudent conduct, and the patience of the soldiers, Veii would soon be in the possession of the Romans." The senate was divided into two opinions. The one was that of old P. Licinius, who, being asked first by his son (*a*), answered, that proclamation should be openly made to the people, "that such as were willing to share in the spoil, might repair to Veii." The other was that of Appius Claudius, who, railing against this unprecedented, profuse, unjust, and impolitic largess, said, "that if it was reckoned an injustice to bring the money taken from the enemy into the public treasury, which had been emptied by the war, he was of opinion, the soldiers ought at least to be paid out of it, and thereby the commons eased of part of their taxes. Every Roman family would then be equally sensible of the benefit of this largess; and the rapacious hands of those who loitered in Rome would not rob the brave soldiers of their rewards. For it commonly happened, that he who had been the most forward in sharing the toil and danger, was the least active in plundering." To this Licinius replied, "that that money, if brought into the treasury, would lay a foundation for jealousy and ill-will, supply matter of accusations before the people, furnish pretexts for raising seditions, and, at length, for bringing in new laws. It was, therefore, better to gain their affection by this bounty, thereby to give some relief to those who were exhausted and drained by a tax continued for so many years; and to let them taste the fruits of that war, wherein they had almost grown old. What each of them should take with his own hand from the enemy, and bring home, would give greater satisfaction and pleasure, than a hundred fold more bestowed by another. The dictator himself would hereby escape odium and a prosecution; the sole view he had in referring the matter to the senate. Therefore they, in like manner, ought to leave it to the people, and suffer each man to have what the for-

tune of war gave him." This advice, as it was like to make the senate popular, seemed to be the safest of the two. An edict accordingly was issued out, "that such as pleased should repair to the dictator in the camp, to share in the plunder of Veii."

XXI. The great numbers that flocked thither quite filled the camp. The dictator, having taken the auspices, and ordered his troops to arm, stepped forward, and made the following prayer: "O Pythian Apollo, under thy guidance, and by thy inspiration, I am about to destroy the city of Veii; and to thee I solemnly vow a tenth part of the spoil thereof. At the same time I implore thee, O Juno (*a*), queen of the gods, who now residest in Veii, to follow us the victors to our city, which will soon be thine, and where thou shalt be received into a temple worthy of thy majesty." When he had finished these prayers, as his army was very numerous, he made a general assault on all sides of the city, that the besieged might have the less apprehension of any danger from the mine. The Veientes knew not that they were betrayed by their own diviners (*b*), and foreign oracles (*c*); that some of their tutelary gods invited to partake of their spoils, and others conjured by prayers to leave their city for another, had their eyes fixed on the temples of their enemies, which were to be their new habitations, and that their last hour was come. Therefore, fearing nothing less than that their walls were undermined, and their citadel full of enemies, they ran, in emulation of each other, to the ramparts in arms, wondering what had induced the Romans, who had not moved from their posts for so many days, at that time to assault their walls so rashly, as if they had been struck with a sudden phrenzy. A story is inserted in this part of the history, that as the king of Veii was sacrificing, the Roman soldiers heard the haruspex say, "that the victory should be given to him who should dissect the entrails of that victim:" and immediately opening the mine, seized the entrails, and carried them to the dictator. But in things of so ancient date, I hold it sufficient to take probabilities for truths. Nor is it worth while either to warrant or refute such things as are fitter to be exhibited on the stage, that delights in the marvellous, than deserving of credit. A chosen body of armed men, who at that time filled the mine, rose up in the temple of Juno, which stood in the citadel of Veii. Some attacked the soldiers behind, as they defended the walls; some unbarred the gates, while others set fire to the houses, as the women and slaves threw stones and tiles down from the house-tops upon them. The whole city resounded with the shouts of the invaders, and cries of the invaded, mingled

with the doleful lamentations of the women and children. In an instant, the walls being cleared of those who defended them, and the gates broke open, part of the Roman army entered in whole battalions, others scaled the deserted ramparts, so that the city was soon filled with enemies, and the battle raged in every place. However, after great havoc, it began to slacken, and the dictator commanded the heralds to proclaim quarter to all who laid down their arms. This put an end to the slaughter. Then began the unarmed multitude to surrender themselves, and the soldiers, with the dictator's permission, ran up and down to plunder. When the spoils were placed before Camillus, and he saw how far they exceeded his hopes and expectations, in quantity and value, he is said to have lifted up his hands to heaven, and prayed, "that if the good fortune of the Roman people appeared too great either to gods or men, the envy might fall upon him, and the commonwealth of Rome feel as small a share of it as possible." And the tradition is, that, as he was turning round after this prayer, he fell down upon the ground; which accident was construed by some, after the thing really happened, to presage the condemnation of this very Camillus, and the destruction of Rome, when it was taken by the Gauls, both which fell out a few years after. Thus that day was spent in slaughtering the enemy, and plundering that most wealthy city.

XXII. Next day the dictator sold the freemen by auction. The money arising from their sale was all that was applied to the benefit of the public, and even this the people resented. As to what spoil the people brought back with them, they thought themselves indebted for it neither to the dictator, who, with a view to make the senate the abettors of his own scandalous parsimony, had referred an affair to them which was wholly in his own power; nor to the senate, but to the family of the Licinii, a son whereof had laid the matter before the senate, and his father made a motion so favourable to the people. After they had carried out of Veii all the profane riches, they began to remove what had been consecrated to the gods, and the gods themselves, but rather like worshippers than pillagers. The handsomest young men in all the army were selected, who, after purifying their bodies, and putting on white robes, had it in charge to carry the statue of queen Juno to Rome. They entered her temple with great veneration, and at first laid their hands upon the statue with a religious awe; for it was customary among the Hetrurians not to let that statue be touched by any but a priest of a certain family. At length, either by inspiration, or out of

joke, one of them said, "Juno, will you go to Rome?" Upon which the rest cried out, that she gave a nod of consent. But to this some add the story of her having been heard answering "she would go." However, it is certain, that it was no difficult matter to move her from her place, and that she was carried to Rome with as great ease, and as little fatigue, as if she had followed the bearers. The statue was brought safe to mount Aventine, the habitation to which the Roman dictator by prayers had invited her, and where she ever after remained. In this place likewise Camillus afterwards dedicated that temple, which he had vowed to her. Such was the fate of Veii, the richest city of all the Etrurian nation. Even its final ruin is a proof of its greatness; for, after sustaining a continued siege for ten summers, and as many winters, wherein Rome had suffered more from it than it had done from Rome, it was at last, by unavoidable destiny, taken, not by assault, but by sap.

XXIII. When the news, that Veii was taken, reached Rome, notwithstanding the prodigies had been expiated, the responses of the diviners and of the Pythian oracle were well known, and, as the greatest help human counsel could afford, they had chosen the greatest of generals, M. Furius commander in chief; yet, because the success of the war, which was continued for so many years, had taken various turns, and they had often been defeated, it occasioned incredible joy, as if it had been contrary to all expectation. The Roman ladies, by running in crowds to the temples to return thanks to the Gods, anticipated the senate's decree, which ordained a solemn supplication and thanksgiving for four days, a greater number than had ever been appointed in any former war (*a*). Never was any general before attended by such multitudes of people at his arrival; for all ranks and conditions ran in crowds to meet him. Nay the magnificence of that day's triumph far exceeded what was usual on such occasions. He himself was more especially conspicuous; for he entered the city in a chariot drawn by four white horses, which was reckoned an ambitious exaltation of himself, not only above the condition of a citizen, but even of human nature. They considered it as an act of impiety for the dictator to be drawn by an equal number of horses and of the same colour with those of Jupiter and the sun; and this circumstance alone, though it added greatly to the splendour of his triumph, made it less grateful to the spectators. After this he drew the plan of the temple of queen Juno on the Aventine hill, and dedicated that of the goddess Matuta. And having thus performed his duty to the gods, and done such signs



service to his fellow citizens, he abdicated his dictatorship. Then they began to deliberate about the present to be made to Apollo. Camillus represented, that he had vowed a tenth part of the spoils to the god, and the priests were of opinion, that the people ought to perform that vow. But it was not easy to fall on a method to make them restore the spoil, that that part of it due to the gods might be taken out of it. At length they fixed upon what seemed to be the easiest expedient. They passed a decree, "that whoever were willing to clear their consciences, and ensure the safety of their families, should first make a just estimate of the spoil they had taken, and then bring a tenth part of it into the public treasury; that it might be formed into a present of massy gold, worthy the august temple and majesty of the god, for whom it was intended, and suitable to the grandeur of the Roman people." This contribution likewise alienated the people's affections from Camillus. In the mean time ambassadors came from the Volsci and Æqui to sue for peace, which was granted, not so much because the petitioners deserved it, as to procure the state some respite after being harassed with so long a war.

XXIV. Veii being thus subdued, six military tribunes with consular power were created for the ensuing year; the two Publii Cornelii, Cossus and Scipio, M. Valerius Maximus a second, Cæso Fabius Ambustus a third, L. Furius Medullinus a fifth, and Q. Servilius a third time. The war with the Falisci fell by lot to the Cornelii, as did that with the Capenates to Valerius and Servilius, who did not attempt to take their cities by storm, nor by raising works against them. They only ravaged their lands, and carried off a great booty of instruments of husbandry, leaving no fruit-tree or any standing corn in the country. This severe treatment humbled the Capenates; for they sued for peace, and it was granted them. But the war with the Falisci was continued. In the mean time there were many seditions at Rome, to appease which a decree passed for sending a colony into the country of the Volsci, for which three thousand Roman citizens were enrolled. The three commissioners, who had the care of this affair, gave each planter three acres of land, and seven twelfths parts of an acre (*a*). But that largess began to be despised by the people, because they imagined it to be only a bait offered them to divert them from hoping for better. For why should they be removed to the Volscan dominions, when Veii, and the lands belonging to it, which were both more fertile and more extensive than those of Rome, were in view. They likewise preferred this city to Rome, both for its situation, and the beauty and grandeur of its private

and public buildings and houses. Moreover a motion was made, which was more warmly pursued after the taking of Rome by the Gauls, of removing to Veii. For it was intended, that part of the people, and part of the senate, should go to inhabit Veii, and that the two cities should be possessed by the Romans, and constitute but one commonwealth. But this the nobility opposed so strenuously, that they said, "they would die sooner in sight of the Roman people, than suffer such a bill to be brought in. If there is so much dissention in one city, what will there be in two? Would any one prefer the conquered to the conquering city, or make the captive town of Veii a more flourishing place than it had been before it was taken? Lastly, their fellow-citizens might abandon them in their native country, but nothing should ever force them to relinquish it and them, or to forsake the god Romulus, the son of a god, the father and founder of Rome, and follow Sicinius to Veii." For it was this tribune of the people who had proposed the bill.

XXV. While they were wrangling about this in a most shameful manner (for the fathers had brought over some of the tribunes of the people to their side), nothing else restrained the commons from giving blows, but that whenever a shout was set up as a signal to fall on, the principal senators first presented themselves to the mob, bidding them, "assault, strike, and kill them." But as a respect to age, and the honour and dignity of those venerable men, kept them from doing them violence, so being ashamed of their resentment, they forebore other attempts of the like kind. Camillus likewise went from place to place, haranguing the people, and said, "that he was not indeed surprised at that city's being seized with a kind of madness; seeing, notwithstanding its being charged with a vow, it preferred every other concern to a conscientious performance thereof. He would not mention the contribution, which had more the appearance of an alms given to the god than a tenth; for, as each man had privately bound himself to discharge that, the body of the people were now freed from it. Yet his conscience would not suffer him to be silent on another point, which was, that the tenth of the moveables was only set apart for the god; but no mention made of the city and adjacent lands that were taken, which were likewise comprehended in his vow." As the senate found themselves embarrassed by this nice distinction, the matter was referred to the college of priests, who, in concert with Camillus, gave judgment, "that a tenth part of whatever had belonged to the Veientes before his vow, and after it had come into the possession of the Romans,

was sacred to Apollo." In consequence of this, an estimate was taken of the city and lands of Veii. The money was paid beforehand out of the public treasury, and the military tribunes with consular power were ordered to purchase gold with it (*a*). But as there was not gold enough to be had in Rome, the ladies, having held frequent meetings to consult of that affair, made a promise, with mutual consent, to the military tribunes, and, in consequence thereof, carried their gold and all their jewels into the treasury. No act of generosity ever gave the senate greater pleasure, and, in return for it, it is said, they granted the ladies the honour of being carried to the sacrifices in covered chariots (*b*), and in open coaches (*c*), on festival and working days. The gold being received from each of them, was weighed, in order to return them the value in money: and then it was thought fit to make a golden cup, to be carried to Delphos as a present to Apollo. No sooner was this vow discharged, than the tribunes of the people renewed their seditions. The multitude were exasperated against all the principal men of the state, but especially against Camillus, alledging, that by what he had appropriated to the state (*d*), and consecrated to the gods, he had reduced the spoil of Veii to nothing. They bitterly exclaimed against the nobility in their absence, but shame restrained them from offering any insult when they were present, and exposed themselves to their fury. Now when they saw that the affair of removing to Veii was not like to be determined that year, they re-elected the same men who had brought in the bill for that purpose, to be tribunes of the people for the ensuing year, and the senators used all their interest to do the same by those who had opposed it. Thus were the same tribunes for the most part re-chosen.

XXVI. In the comitia for electing military tribunes, the patricians used their utmost efforts to get Camillus chosen one, and gained their point. They pretended, that they were hereby preparing an able general for the wars, but in reality wanted him to oppose the largest the tribunes contended for. His colleagues in this military tribuneship with consular power, were L. Furius Medullinus a sixth time, C. Æmilius, L. Valerius Poplicola, Sp. Posthumius, and P. Cornelius a second time. In the beginning of the year the tribunes of the people did not stir, till Camillus, who was commissioned to carry on the war against the Falisci, should march on that expedition. In the mean time the affair quite languished under after delays, while their most formidable adversary, Camillus, reaped additional laurels among the Falisci. For, while at first the enemy thought it safest to keep within

their walls, he, by laying waste their lands, and setting fire to their villages, obliged them to march out of their city. But their fear would not suffer them to go far, so they encamped within a mile of their town, relying on no other security, than the difficulty the enemy must surmount in coming at them through rough, craggy ways, and in marching through defiles and over steep rocks, with which they were surrounded. But Camillus took a prisoner out of the country for a guide, and decamping in the dead of night, at day-break shewed himself on a ground, that lay a little above them. While the Romans entrenched themselves in three divisions, part of their army stood under arms, ready to engage. And when the enemy endeavoured to obstruct his work, he routed and put them to flight. The fright of the Falisci was so great, that as they fled in great disorder, they passed by their camp, which was in their way, and ran with great precipitation to their town. Many were killed and many wounded, before these frightened troops could get within their gates. He took their camp, and sent the spoil to the public treasury, which highly incensed the soldiers. But forced to submit to the severity of his discipline, they at the same time hated and admired the abilities of their general. Then he invested the city, and surrounded it with lines. The townsmen sometimes, when occasion offered, sallied out, and had slight skirmishes with the Roman guards; and thus they spent the time, with equal hopes of success on either side. For the besieged had greater plenty of corn and other provisions, which they had laid in beforehand, than the besiegers. And in all probability this siege would have proved as long as that of Veii, if fortune, and a signal instance of his abilities and experience in military affairs, had not soon put the victory into the hands of the Roman general.

XXVII. The Falisci used to make the same person both tutor and companion to their children, and to place many boys at the same time under the care of one master, a custom retained among the Greeks at this day. As is most usual, the man who had the greatest reputation for knowledge taught the children of the principal men. This tutor made a practice of carrying his pupils, in time of peace, to play and exercise themselves before the town. He did not discontinue it during this war, sometimes carrying them a little, sometimes a greater way from the walls. But at length, having found a proper opportunity, he drew them, by play, and many different stories, farther than usual from the gates; first as far as the Roman out-guards, and then to the camp, till at last he led them quite to Camillus's tent. To this villainous action,

he added a speech more criminal, for he told Camillus, "that by delivering into his hands those boys, whose fathers had the principal authority in Falerii, he had in effect put him in possession of that city." Camillus heard him to an end and then replied, "Wretch, thou hast not come with thy impious present, to a people or general like thyself. We have not indeed alliance with the Falisci by human treaty: but what nature has established, still subsists, and shall subsist between us. War has its rights, as well as peace; and we have learned to carry it on with no less justice than bravery. We are in arms, but will not use them against an age, which is spared even at sacking of cities; but against armed men, those very men, who, without any injury or provocation from us, attacked the Roman camp at Veii. Thou, as far as lay in thy power, hast outdone them by an unprecedented act of villainy. But I will conquer, as I did at Veii, by arts peculiar to the Romans, valour, military works and arms." Then he ordered him to be stript, and his hands bound behind his back, and in this condition to be delivered to the boys to be carried back to Falerii, giving them rods, wherewith they might whip the traitor all the way to that city. At first the Falisci flocked in great crowds to see this spectacle, and then their magistrates called the senate to deliberate on this strange affair. And it worked so great a change on their minds, that they, who a little before were so inflamed with hatred and resentment, that they would rather have chose the fate of the Veientes, than to make peace like the Capenates, were unanimously for demanding an accomodation with the Romans. Nothing was heard in their forum or senate-house, but the highest encomiums on the faith of the Romans, and the probity of their general. And by universal consent deputies were dispatched into the camp to him, and by his permission to the senate at Rome, to surrender Falerii. It is reported, that when they were introduced to the senate, they made the following speech. "Conscript fathers, conquered by you and your general, a conquest which neither can offend gods nor men, we surrender ourselves to you, convinced, that we shall live happier under your government, than under our own laws; which of all other considerations derives the greatest honour upon the conqueror. Mankind have two excellent examples set them in the issue of the present war. You have preferred integrity in war to immediate conquest; and we have been willingly encouraged by this instance of your integrity to yield you the victory. We are now your subjects, send persons to receive our arms, hostages, nay, our very city, the gates whereof stand open to you.

You shall never have reason to complain of our fidelity, nor we to repent of our having subjected ourselves to you." Camillus had the thanks both of the enemy and his fellow-citizens. To relieve the people from taxes, the Faliaci were ordered to give the soldiers one year's pay. Peace was granted them on this condition, and the army returned home.

XXVIII. Camillus's return to Rome, after having signalized his justice and integrity in the conquest of the enemy, was celebrated with more solid applauses, than his former entrance into it, when he was drawn, in pompous triumph, by white horses. For the senate publicly took notice of his modest behaviour, and, in order to discharge his vow, without any delay, sent three deputies, L. Valerius, L. Sergius, and A. Manlius, to carry a golden cup to Delphos as a present to Apollo. The long galley, in which they embarked, was taken not far from the Sicilian sea, by Liparensian pirates, and by them carried into Liparæ (*a*). It was the custom of that city, to divide their prizes as so many public captures. By good luck one Timasitheus, a man more resembling Romans, than his own countrymen, was principal magistrate of that city that year. He, awed by respect for the character of the ambassadors, the present itself, and the motive of its being offered, as well as the god to whom it was sending, inspired likewise the multitude, who generally are of the mind of their leaders, with the same sentiments of justice and religion. After having publicly entertained the deputies, he himself conveyed them to Delphos, and then re-conducted them safe to Rome. By a decree of the senate, the state entered into a league of amity with him, and he had great presents made him at the public expence. In the same year the war with the Æqui took such various turns, that neither the army itself, nor those at Rome, could tell, whether they had conquered, or been defeated. The military tribunes, who commanded, were C. Æmilius, and Spurius Posthumius. At first they acted in conjunction, but when they had defeated the enemy in a pitched battle, Æmilius thought fit to go to Verrugo to garrison it, and Posthumius marched to lay waste the enemy's country. The late success made the latter careless, so that the Æqui set upon his troops as they marched in disorder, struck great terror into them, and drove them to the adjacent hills, which they passed in consternation; and the fright reached even the other garrison at Verrugo. When Posthumius had got his troops into a place of safety, he assembled them, and chid them severely for the fright that had seized them, which had occasioned their being routed by, and obliged to fly before a most

sowardly enemy. The whole army cried out, that they deserved to be told of it, and confessed they had committed a great fault; but they would make amends for it, and that the enemy should not long triumph on account of it. They earnestly insisted that he should that instant lead them against the enemy's camp, which stood in a plain within sight, and they said they would suffer any punishment, if they did not take it before night. After the general had commended them, he ordered them to refresh themselves, and be ready by the fourth watch. The enemy likewise who were guarding the way to Verrugo, in order to prevent such Romans as were on the hills from escaping thither by night, met them, and the battle began before day break; but as the moon shone all night, they could see how to fight, as well as if it had been day. But the shouts of the armies reaching Verrugo, the troops there thought the Roman camp had been assaulted, and notwithstanding all the endeavours and entreaties of Æmilius to stop them, dispersed and fled to Tusculum. From thence a report reached Rome, that Posthumius with his army had been cut off. But as soon as it was light, and safe to pursue a flying enemy full speed, without fear of falling into an ambuscade, he rode through the ranks, and put them in mind of their promise, which inspired them with such ardour, that the Æqui were no longer able to stand before them. The slaughter of the enemy, that was made in the pursuit proceeded rather from resentment than bravery, insomuch that they were quite cut to pieces. And immediately on the back of the sad news from Tusculum, which, without reason, had put the city into such a consternation, letters wrapped up in laurel, came from Posthumius, with intelligence "that the Romans had got the victory, and the army of the Æqui was quite destroyed."

XXIX. Because the tribunes of the people had not yet succeeded in their bill for removing to Veii, the people resolved to continue those men in the tribunate who had proposed it, as the fathers to their utmost endeavoured to do those who had opposed it. However, the commons prevailed in the comitia. To be revenged for this disappointment, the senate passed a decree for the election of consuls, magistrates, who were odious to the people. Thus fifteen years after the discontinuance of this office, L. Lucretius Flavius, and Servius Sulpicius Camerinus, were raised to the consulate. In the beginning of this year, the tribunes of the people fiercely renewed their instances for passing the law, because they had not one opponent in their college; for the same reason the consuls opposed them with vigour; and while the

whole city minded nothing else, the Æqui made themselves masters of the Vitelian colony, which had been planted in their country. But the greatest part of the planters, as the city was taken by treachery in the night, escaped safe out at the back part of the town, and fled to Rome. That province fell by lot to the consul L. Lucretius, who, marching out his army, defeated the enemy in the field, and returned to Rome to fight a fiercer battle. Two of the tribunes of the people for the preceding year, A. Virginius and Q. Pomponius, were cited to take their trial. The honour of the senate engaged the whole patricians to defend them. None could accuse them of any crime, either in their lives, or the discharge of their office, excepting that they had, to gratify the patricians, opposed the bill brought in by their colleagues. But the resentment of the commons baffled all the interest the senate could make, and, a bad precedent sure, these innocent men were fined ten thousand asses of brass (*a*). This highly offended the fathers. Camillus openly accused the people of injustice. "The commons have now, said he, declared against their own protectors. They do not understand that by this unjust sentence they have put an end to the intercession of tribunes, and by that means abolished the power of these magistrates. For however they might hope that the fathers would suffer the unbridled licentiousness of the plebeian tribunes, they were mistaken; and if the insolence of the tribunes could not be repelled by the intercession of some of their own number, the patricians would find another weapon against them." He likewise rebuked the consuls, for having tamely suffered those tribunes, who had obeyed the authority of the senate, to be disappointed in relying on the public faith. By these public harangues, he daily increased the people's resentment against himself more and more.

XXX. Yet he never ceased to excite the senate against the bill; conjuring them "not to go down into the forum on the day when the law should be proposed, otherwise than as men prepared to fight for their altars and fire-sides, for the temples of their gods, and the soil wherein they were born. As to his own private concern in the affair, if he was at liberty to consult his own glory, amidst this struggle for his country, it would even be much for his honour, that a town which he had taken should be peopled with inhabitants; where he would daily see monuments of his glory, and that city, which had been carried before him in his triumph, and where all would tread upon the traces of his renowned victory. But he believed it impious to re-peopple a town, which had been deserted and abandoned by the immortal gods.



It would be shameful for the Roman people to inhabit a captive soil, and exchange their victorious country for a conquered one." Both the old and young patricians, roused by these warm exhortations which Camillus made to the principal men amongst them, came in a body to the forum that day on which the law was proposed, and, dispersing themselves through the tribes, each addressed the men of their own tribe, and began to beg them with tears, "not to abandon a country for which their fathers and themselves had fought with so much bravery and success. They pointed to the capitol, the temple of Vesta, and other temples of the gods round it. They conjured them not to banish and drive the Roman people, like exiles, from their native soil and household gods, into an enemy's city; not to bring the matter to this pass, as to oblige them to think it had been better Veii had never been taken, that Rome might not have been abandoned." As the patricians used no force, but prayers, wherein they made frequent mention of their gods, they raised a scruple of conscience in the breasts of the greatest part of the people, and the tribes who rejected the law had a majority of one against those who voted for it. The fathers were so overjoyed at this victory, that, the next day, upon a motion made by the consuls, the senate passed a decree, that seven acres of the lands of Veii should be divided to each commoner. Nor did this grant extend only to masters of families, but to every single person of free condition as an inducement to them to marry, and bring up children.

XXXI. This largess softened the minds of the commons so that no opposition was made to holding the comitia for the election of consuls. L. Valerius Potiur and M. Manlius, who was afterwards surnamed Capitolinus, were elected to bear that office. They celebrated the great games, which M. Furius had vowed in the Veientine war. In the same year was dedicated the temple of Juno, queen of the gods, which this dictator had vowed at the same time. It is reported, that the ladies attended in great numbers at this dedication. The Romans had a slight engagement with the Æqui at Algidum; for the enemy were routed almost before they joined battle. A triumph was decreed to Valerius, because he had pursued farther, and killed a greater number of the enemy than Manlius, who was ordered to enter the city with an ovation. In the same year a new war broke out with the Vol-sinienses (*a*), against whom no army could be led, on account of a famine and pestilence in the Roman dominions, occasioned by a dry and excessively hot season. This raised the presumption of the Volsinienses so much, that, in conjunction with the Salpin-

ates, (*b*), they made an incursion upon the Roman lands, without any provocation. Then war was declared against both these states. C. Julius the Censor died, in whose room L. Cornelius was chosen; a thing afterwards reckoned fatal, because Rome was taken in that lustrum. Nor from this time was any one substituted in place of a censor who happened to die. The consuls likewise falling sick, it was thought fit to have an interregnum, and during it to renew the auspices for another election. Therefore, when the consuls had abdicated their office by a decree of the senate, M. Furius Camillus was created interrex, and he nominated P. Cornelius Scipio his successor. Then that office fell to L. Valerius Potitus, who created six military tribunes with consular power; that in case some of them should be seized with sickness, the republic might not want a sufficient number of magistrates.

XXXII. On the first of July, L. Lucretius, Servius Sulpicius, M. Æmilius, L. Furius Medullinus a seventh, Agrippa Furius and C. Æmilius a second time, entered into the office of military tribunes. The province of the Volsinienses fell by lot to two of them, L. Lucretius and C. Æmilius; as did that of the Salpinates to other two, Agrippa Furius and Servius Sulpicius. The first battle they fought was with the Volsinienses, and it was more remarkable for the number of the enemy, than for the resistance they made; for they were routed and fled at the first onset, and eight thousand armed men, being surrounded by the Roman cavalry, laid down their arms, and surrendered at discretion. The news of this battle terrified the Salpinates from coming to an engagement. Their soldiers took refuge within their walls, while the Romans every where pillaged both the Volsinian and Salpinatian lands, without any opposition. At length a truce for twenty years was granted to the Volsinienses, who were grown weary of the war, on condition that they should restore to the Romans the booty they had carried away, and give their soldiers one year's pay. In the same year, M. Cædicius, a plebeian, told the tribunes, "that he had heard a voice, louder than a man's, in the new street (*a*), above the temple of Vesta, where now stands a chapel, which commanded him to tell the magistrates that the Gauls drew near." However, as commonly happens, this story was neglected on account of the meanness of its author, and also because that nation was at a great distance, and consequently little known. But as the fates hurried the Romans to their destruction, they did not only despise the advices of the gods, but even the only human help they had at the same time, by banishing M. Furius from the

city. This great man having had a day appointed, by L. Apuleius, tribune of the people, to take his trial, in relation to the spoils of Veii, and having lost at the same time his son, a promising youth, assembled, in his own house, his kindred and clients, who comprehended a great part of the people, and sounded their inclinations. When they answered, that they could not acquit him, but should pay the fine he should be condemned in, he went into banishment, begging of the immortal gods, "that, in case he was innocent and injured, they might soon make that ungrateful city regret the loss of him." He was fined in his absence in fifteen thousand asses of brass (*b*).

XXXIII. Thus was a citizen banished, who, had he staid, if there can be any certain dependance on human aid, Rome could not have been taken. What hastened the fatal stroke was, that deputies came from Clusium, imploring assistance against the Gauls. The report is, that that nation, charmed with the delicious taste of the fruits, especially with the wines of Italy, which they had never tasted before, passed the Alps, and took possession of lands before inhabited by the Heturians; and that Arunx, a Clusinian, in resentment of his wife's being debauched by Lucumo, who had been his pupil, and upon whom, because of his great interest, he could not get a just punishment inflicted, without calling in a foreign enemy, carried wine into Gaul, to entice that nation to make that invasion (*a*). This man is said to have guided the Gauls in their passage over the Alps, and to have advised them to lay siege to Clusium. I will not indeed deny, that the Gauls were conducted to Clusium by Arunx, or some other Clusinian; but it is sufficiently certain, that those who invested Clusium were not the first who passed the Alps: for the Gauls had come over into Italy two hundred years before they at this time besieged Clusium, or took Rome; nor did the Gallic troops fight first with the Heturians, for they had often been engaged, long before, with those people who inhabited the country between the Appenines and Alps. For before the Roman empire, the Tuscan (*b*) dominions extended very far, both by sea and land, even to the upper and lower sea, by which Italy is surrounded in form of an island. Their very names are an argument of the mighty power of this people; for the nations of Italy call the one the Tuscan sea, from the common name of the people; and the other the Adriatic, from Adria, a Tuscan colony. The Greeks call them the Tyrrhenian and Adriatic seas. This people in twelve cities inhabited the country extending to both seas, and by sending out colonies equal in number to their mother cities, first on

this side the Appenines towards the lower sea, and afterwards as many on the other side, possessed all the country beyond the Po, even to the Alps, excepting the corner belonging to the Venetians, who dwelt round a bay of the sea. Nor can it be questioned, that this was the origin of the Alpine nations, especially of the Rhetæ, who, by the situation of their country, are grown so barbarous, that they retain nothing of their original, but some remains of their language, and even that is corrupted.

XXXIV. But here is what I have learned of the passage of the Gauls over the Alps. In the reign of Tarquinius Priscus at Rome, the Bituriges (*a*) had the supreme authority among the Celtæ, who possessed one third part of Gaul (*b*), and gave them a king named Ambigatus. He was a very powerful prince both on account of his bravery, his private fortune, and the flourishing condition of his kingdom. For under his government Gaul produced such plenty of corn and inhabitants, that it seemed scarcely possible to govern such a multitude. Being himself grown old, and desiring to disburthen his dominions of this troublesome crowd, he signified to Bellovesus and Sigoveus, his sister's sons, young men of great activity, that he resolved to send them into whatever settlements the gods should grant them by augury. They might raise what number of men they pleased, that no nation, wherever they came, might be able to repel them. Upon this the Hercynian forest (*c*) fell by lot to Sigoveus; but the gods gave a far pleasanter journey into Italy to Bellovesus. He assembled the Bituriges, Avernians (*d*), Senones (*e*), Heduians (*f*), Ambarri (*g*), Carnutes (*h*), and Aulerci (*i*), because these cantons were overstocked with people, and marching out with a great army of foot and horse, came to the country of the Tricastini (*k*). They were soon after stopped by the Alps, which seemed to them impassable; nor am I surprised at it, since it cannot be proved by authentic records, that they had ever been passed by any, unless we give credit to the stories concerning Hercules. While the Gauls were hemmed in this place, as it were by the height of these mountains, and were looking round them for a way to pass into another world over hills whose tops joined to the heavens, they were diverted from immediately prosecuting their design by a religious scruple; for having received intelligence that a strange people, the Massilians, who had sailed from Phœcea (*l*) to these coasts in quest of a settlement, were opposed by the Salyes (*n*), they considered their success as a happy omen of their own; and therefore helped them to fortify a city in the place, where they first landed, surrounded by spe-

cious wounds. Upon this they marched over the pathless Alps by the Taurinian forest (*o*). And having defeated an army of Hetrurians, near the river Ticin (*p*), when they heard that the country where they were encamped was called Insubria (*q*), a name likewise given to a Heduan canton (*r*), they complied with this favourable omen, and built a city, which they called Mediolanum (*s*).

XXXV. After that another body of Cænomani (*a*), under the command of Elitoïus (*b*), and assisted by Bellovesus, followed the tracks of the former, and after they had passed the Alps, settled in those places which the Lebui (*c*) then possessed, where now stand the cities of Brescia (*d*) and Verona (*e*). After them came the Salluvii, who dwelt near the ancient nation of the Lævi (*f*), and Ligures (*g*), and settled about the river Ticin. Then the Boians (*h*) and Lingones (*i*) came over the Pennines (*k*), and taking possession of all the countries between the Alps and the Po, passed that river in boats, and not only beat the Hetrurians, but even the Umbrians (*l*), out of the country. Nevertheless they confined themselves within the Appenines. Then the Senones (*m*), the last of all the new comers, possessed themselves of the country reaching from the river Utens (*n*) to Æsis (*o*). I find that it was this nation which came to Clusium, and then to Rome; but it is not certain whether they came alone, or assisted by all the nations of the Cisalpine Gaul. The Clusians were quite terrified at this war, when they saw the great number and uncommon size of the enemy, and what sort of arms they used, and likewise when they heard of the defeat of the Hetrurian army by the Gauls, on this and the other side of the Po; and though they had no title to the alliance and friendship of the Romans, except not having assisted their kinsmen the Veientes against them, they sent deputies to Rome, to beg aid from the senate. However, they obtained none; but the three sons of Ambustus, M. Fabii, were sent ambassadors to treat with the Gauls, in the name of the Roman people, and represent, "that they ought not to attack the allies and friends of the Romans, who had done them no injury, and in whose defence they were ready to take up arms, if it should be necessary. But they thought it better to prevent it, if possible; and that the Gauls, who were but a new settled nation, ought to make themselves known rather by peaceable measures, than the force of arms."

XXXVI. This was a modest embassy, but the ambassadors were too haughty, and behaved more like Gauls than Romans. After they had delivered their instructions in a council of the

Gauls, they received the following answer: "That although the Roman name was new to them, yet they believed they were brave men, because the Clusians had implored their aid in their present extremity. And seeing they chose rather to defend their allies against them by an embassy than by arms, they would not despise the peace which the Romans offered, on condition that the Clusians, who possessed more land than they cultivated, would yield part of their territories to their neighbours who wanted it. And these were the only terms on which peace could be obtained. They added, that they desired to receive their answer in presence of the Roman ambassadors; and if the land was denied, to fight before them, that they might tell at home, how far the Gauls excelled all other men in valour." When the ambassadors asked, what right they had to demand land of the possessors, how they came to threaten them with war, or what they had to do in Hetruria? they sternly answered, "that they carried their right on the point of their swords, and brave men had a title to every thing." Upon which, both sides exasperated, ran to their arms, and began the battle. And as the fates took this opportunity to hasten the destruction of Rome, its ambassadors had also recourse to their arms, in direct contradiction to the law of nations. Nor could this be concealed, seeing it was easy to observe three persons of the greatest note and valour of all the Roman youth fighting at the head of the Clusian troops; so eminently did the bravery of these strangers distinguish them from the rest of the army. Besides, Q. Fabius advanced on horseback before the first line, and meeting a general of the Gauls, who was rushing furiously upon the foremost of the Hetrurians, ran him through the side with his lance, and killed him. Some of the Gauls knew him, as he stripped his enemy, and notice was immediately given through their whole army, that it was one of the Roman ambassadors. Laying aside, therefore, their resentment against the Clusians, they immediately sounded a retreat, threatening destruction to the Romans. Some of them were of opinion, that they ought that instant to march to Rome; but the aged among them carried it for first sending ambassadors to complain of the wrong, and to require that the Fabii should be delivered up to them, according to the law of nations, which they had violated. When the deputies of the Gauls had discharged their commission, the senate were dissatisfied with what the Fabii had done, and saw that the barbarians demanded nothing but justice. But private interest and caballing prevented their passing the sentence they thought reasonable, upon three persons of such dis-

tion. Therefore, that the misfortunes which might chance to attend a war with the Gauls might not be charged upon them, they referred the consideration of their demands to the people. But the power and interest of the delinquents had such an influence upon the commons, that, instead of being punished, they were created military tribunes for the next year. The Gauls, resenting this action as they ought, returned home, openly threatening to make war upon the Romans. Q. Sulpicius Longus, Q. Servilius a fourth time, and Ser. Cornelius Maluginensis, were created military tribunes, together with the three Fabii.

XXXVII. By this means a terrible storm of misery was like to fall upon the Romans; but fortune so blinds the minds of men, in order to prevent their warding off her impending blows, that this state, which had on many former occasions had recourse to its last resort, and created a dictator against the Fidenates, Veientes, and other neighbouring nations, was at no pains to appoint any extraordinary magistrate, or seek assistance, now when a stranger and unknown enemy from the ocean, and the utmost borders of the earth, came to make war upon it. Even those tribunes, whose rashness had drawn this war upon Rome, had the sole management of affairs there. They, lessening the reports they had of the war, made the levies with no more care than they used to do, in cases of ordinary importance. In the mean time the Gauls, as soon as they heard that those who had violated the law of nations were promoted to honours, and their embassy slighted, being exceedingly enraged, as that people is very passionate, immediately plucked up their ensigns, and began their march with all expedition. When, during their march, they observed the affrighted cities running to their arms, and the peasants flying, they cried out aloud that they were going to Rome. And wherever they went, their men and horse, dispersed far and wide, covered a great space of ground. Their expeditious march, the news whereof came, and couriers from Clusium and other states, had carried to Rome, occasioned a great consternation there; and the Romans, hastily leading out their army, levied in hurry, found difficulty to meet them eleven miles from the city, where the river Allia (*a.*), rising out of the mountains of Crustumium, runs in a very deep channel, till it falls into the Tyber, a little below the Salarian highway. And now the plain before and round them was covered with enemies, and the Gauls, a nation given to clamour and tumult, by their barbarous songs and various shouts, filled all places about with a horrible noise.

XXXVIII. Here the military tribunes, without having the precaution to mark out a camp, or fortify it with an intrenchment, to which they might retreat, and neglecting the gods as much as they did men, without having any encouragement from the auspices or sacrifices, drew up their army in battalia, extending the wings, that they might not be surrounded by the superior number of their enemies. But though they weakened their centre, and made its files almost quite open by thinning its ranks, yet they could not after all make it equal that of the enemy. There was a small rising ground on their right, where they thought fit to post a body of reserve, which, as it was the first occasion of their fear and flight, was the only means of securing their retreat. For Brennus, who commanded the Gauls, fearing that the Romans, being inferior in numbers, were laying a trap for him, and imagining their design of seizing this eminence was, that the body of reserve, as soon as his men should be engaged with the legions van to van, might attack him both in rear and flank, advanced and charged this corps first. He made no question, if he should once beat them from this post, but his troops, who were so far superior in numbers, would easily get the victory in the plain. Thus we see, that there was not only good fortune, but prudent conduct on the side of the barbarians. In the other army none acted like Romans, neither officers nor soldiers. Their minds were wholly possessed with fear, and the thoughts of running away; nay, they forgot themselves so much, that the greater part of them, though by that means they had the Tyber to cross, fled rather to Veii, an enemy's city, than straight to Rome to their wives and children. By advantage of the ground the corps de reserve defended themselves for a short time; but as soon as the rest of the army heard the shouts of the Gauls, which they who were nearest imagined to come from their flank, and the furthest to have been raised behind them, they fled, entire and untouched, before that unknown enemy whom they had scarce seen, not only without striking a stroke, but even without returning a shout; so that none of them fell in the battle; but in the route, where the crowd and hurry of the fugitives obstructed the flight, those in the rear were cut to pieces. A great slaughter was also made on the banks of the Tyber, whither the left wing fled, after having thrown away their arms. And many, who could not, or were not able to swim, weighed down by their brigantines and other armour, were drowned in the stream. Yet the greater part escaped safe to Veii, from whence they not only sent no relief to



Rome, but not so much as a messenger to inform them of their defeat. The right wing, which was at a good distance from the river, and posted nearer the hill, marched all to Rome, and took refuge in the citadel, without so much as shutting the gates of the town after them (*a*).

XXXIX. The Gauls also were astonished at their success, and imputed this sudden victory to a kind of miracle. At first they stood like statues in amaze, as if they had not known what had happened; then they dreaded an ambuscade, and at last began to strip the dead, and, according to their custom, to pile up the arms. But after all seeing no appearance of the enemy, they began their march, and reached Rome a little before sun-set. When the horse which had been detached before brought back word, that the gates were not shut, and no guards posted before them, nor any armed men on the walls, being no less astonished than they had been before, they halted; and fearing the night and the situation of the city, which they were unacquainted with, encamped between Rome and the Anio, sending out scouts round the walls and the rest of the gates, to get intelligence of what measures the Romans resolved to take in their present extremity. The Romans, as the greater part of their army had gone to Veii, believed, that none survived the battle, but those who had fled back to Rome, and bewailing equally the loss of the dead and living, filled all the city with their lamentations. But when they were told that the enemy was arrived, their fear for the public safety made them forget their private losses. Soon after they heard the howlings and hideous songs of the barbarians wandering in troops round the city walls. During all that time, even till day-break next morning, they were in the greatest suspense. For sometimes they apprehended that the enemy would storm the city upon their first approach to it. And they said, if this had not been the Gauls' intention, they would have staid at Allia. At sunset they thought, that because little of the day remained, they would attack them under night; and that they had delayed the execution of their design till that time, on purpose to strike the greater terror. Last of all, the approach of day put them in the greatest consternation, and their continual fears had no intermission till the evil they apprehended came upon them, and they saw the enemy's ensigns enter their gates. Yet during that night and the following day, those that were in the city did not behave like those who had fled in such consternation at Allia. For when they despaired of being able to defend their city with the handful of men that was left, they resolved that the youth, which were

fit to bear arms, and the flower of the senate, should retire into the citadel and capitol with their wives and children: and after carrying arms and provisions thither, defend the temples of the gods, their fellow-citizens, and the Roman name under the covert of that fortified place. They also resolved to put the priest of Romulus, the priestesses of Vesta, and the sacred things, without the reach of fire and sword, and not to discontinue the worship of the gods, while any remained to perform it. For they thought that if the citadel and capitol, the habitations of their gods, the senate, which was their high council of state, and the youth of a fit age to bear arms, should survive this imminent ruin of their city, they could easily bear the loss of the old men, who should be left in the town, because they were a set of people that must soon die however. And that those of inferior rank might bear this with more patience, the old men, who had been honoured with triumphs, and gone through consulships, openly declared, that "they would die with them; and not suffer those bodies of theirs, which were incapable of bearing arms, and defending their native country, to lyè a heavy burthen upon the armed men, in their present scarcity of provisions."

XL. Thus did those venerable men, destined to death, console each other. Then they addressed their exhortations to their young men, whom they followed into the citadel and capitol, "recommending to their bravery and youthful vigour, all that remained of the fortune of a city, which had been victorious in all the wars she had undertaken for three hundred and sixty (*a*) years." When those, who carried with them all the hope and resource of their captive state, took their leave of the rest who were determined not to survive the ruin thereof, as their misfortunes considered in themselves made a most dismal appearance, so the doleful lamentations of the women, running up and down, sometimes after the one, sometimes after the other, and asking both their husbands and sons, "whose fate they would share," shewed that their calamity was raised to the highest pitch that could befall human nature. Yet a great many followed their relations into the citadel, without being asked or forbid by any one; for though it would have been a great advantage, to the besieged to have been freed from that useless number, yet it seemed cruel to shut them out. The remaining multitude, consisting chiefly of the populace, whom this little hill was not able to receive, and who could not possibly be fed in so great a scarcity of provisions, left the city in crowds, and took their way in a body towards Janiculum. From thence they dispersed themselves part about

the country, and part into the neighbouring cities, without a leader, or forming any measures in concert, but as each was directed by his own views, because their common concern in the state was given up for lost. In the mean time the priest of Romulus and the vestal virgins, laying aside all care of their private concerns, were consulting together what sacred things they should carry with them, and what they should leave behind, seeing they were not able to carry all away; and in what place what should be left could be most safely deposited. At last they concluded it best to pack them up in small casks, and bury them in a chapel next to the house of the priest of Romulus (*b*), where now it is not accounted lawful to spit. They divided what was to be carried away amongst them, and each with their proper burden took the road leading over the bridge Sublicias to Janiculum. L. Albinus, a plebeian, who, in the crowd of those who left the city, as being of no use in the war, was driving his wife and children in a waggon, perceiving the vestals on the ascent of that hill, even in that time of calamity made a difference between things human and divine; wherefore deeming it irreligious that he and his family should be seen in a carriage, when the public priests of the Roman people walked on foot, carrying the sacred things, he ordered his wife and children to alight, and having placed the vestals with their sacred burdens in the waggon, drove them to Cære, whither they intended to go.

XLI. In the mean time every thing for the defence of the citadel being disposed in the best manner the present circumstances would admit, the crowd of old men returned to their houses, and waited the coming of the enemy with a firm resolution to die. Such of them as had borne curule magistracies (*a*), that they might die adorned with the ensigns of their former dignity, honours, and gallant exploits, dressed themselves in their most magnificent robes which they used to wear in the processions of their gods (*b*), and in their triumphs, and seated themselves in their ivory chairs, in the middle of their halls (*c*). But some authors say, that these venerable men first devoted themselves for the preservation of their native country and of the Romans by a vow, which M. Fabius the pontifex maximus administered in form. The Gauls, as they had the space of a whole night to cool the rage which possessed their minds in the late action, and as the Romans had never made a vigorous resistance, nor even then put them to the necessity of taking their city by assault or storm, entered it next day without any signs of violent passion or resentment, at the Colline gate, and moved on to the forum; casting their eyes

on all sides to the temples of the gods, and the citadel, which alone made any shew of defence. Then posting a small guard, to prevent any attack from the citadel or capitol, while they were scattered, they dispersed themselves to plunder, and as they found the streets empty, and met not a single person, whole troops rushed into the adjoining houses, while others ran to those at greatest distance, imagining them at least to be yet untouched and full of booty. But terrified at the general desolation, they returned in a body to the forum, and the adjacent places, lest they should fall, when dispersed, into some ambuscade. Here finding the houses of the plebeians shut, but the halls of the nobility open, they were more afraid to enter the last than the first, beholding, as it were with a reverential awe, these venerable men sitting in the porches of their houses, dressed and adorned in a manner more magnificent than human, nay perfectly resembling gods in the awful majesty and gravity of their looks and countenances. When they had stood some time gazing at those venerable personages as if they had been images, one of them, M. Papirius, incensed a Gaul, who gently stroked his beard, which it was then the custom to wear very long, by striking him on the head with his ivory baton. Upon this the slaughter began with him, and the rest were all killed in their seats. The Gauls, after having massacred these noblemen, gave quarter to none; and having rifled the houses, set them on fire.

XLII. Whether it was that all the Gauls had not an intention utterly to destroy Rome, or whether their chiefs thought it best, in order to terrify the besieged into a surrendry out of love to their houses, to shew them some part of them in flames, or not to burn them all, that what remained might be a pledge to make the hearts of their enemies relent; it is certain the fire did not spread the first day so far and so wide as it usually happens in a city taken by the enemy. The Romans from the citadel seeing their city filled with enemies, running dispersed up and down the streets, and in all places some fresh calamity on the back of another, were not only distracted in their minds, but could fix their eyes and attention to no particular object. Wherever they heard the shouts of the enemy, the shrieks of the women and children, the crackling of the flames, and the crash of the falling houses, they turned their minds, faces, and eyes, to all these dismal objects, as if wanton fortune had placed them on an eminence to be spectators of their country's destruction, having nothing of what belonged to them left to defend but their bodies. Their case was more deplorable than that of any other besieged,

because shut up from the relief of their country, they saw every thing belonging to them in the power of their enemies. Nor did a quieter night succeed the day spent in such anguish. And when this restless night gave place to the new day, some new scene of slaughter was every moment presented to their view. But though they were oppressed and overwhelmed with so many evils, their courage did not fail; and though they saw their whole city levelled with the ground by fire and sword, they were determined bravely to defend the poor little hill they possessed, the only spot of their country that remained free. Nay, at last, seeing the same calamities happen daily, they were so inured to miseries, that they became quite insensible of their misfortunes, and regarded only the arms and swords in their hands, as all they had left to confide in.

XLIII. The Gauls, likewise, having for some days to no purpose made war only upon the houses, and seeing nothing remaining amidst the flames and ruins of the captive city but armed men, and these neither terrified with so many calamities, nor disposed to surrender, unless they were forced to it, resolved to try their utmost and assault the citadel. Having therefore given the signal at day-break, their whole army was drawn up in battalia in the forum. Thence they filed off with a great shout, and covering themselves with their bucklers in the form of a tortoise, advanced to the foot of the hill. But the Romans acted against them with great presence of mind and precaution. They posted guards on all the avenues, and where they saw the Gauls advancing, there they opposed the best of their troops, suffering the enemy to climb up the hill, being sensible, that the higher they attained, they could with the greater ease be tumbled down the precipice. They therefore halted in the middle of the hill, and from an eminence, which seemed of itself to be a sufficient defence, attacked the enemy, and made great havoc and slaughter among them; so that from that time the Gauls never made a like attempt, either with detachments or with the whole of their army. Having therefore no hopes of taking the citadel by assault or force of arms, they prepared to blockade it. This they had never thought of before, and had burnt what corn was in the city, while the Romans daily carried all that was in the country to Veii. For this reason they divided their army, and resolved that one part should go and pillage the lands of the neighbouring nations, while another continued the blockade of the citadel. These foragers were to furnish the besiegers with provisions. But in these excursions from the city, fortune, to give the Gauls a trial of Roman bravery,

conducted them to Ardea, where Camillus then lived in banishment. This great man, more afflicted at the public calamity than at his own, exhausted the vigour of his spirits and strength in accusing gods and men, and with indignation wondering what was become of those men, who under his command had taken Veii and Falerii, and had ever in other wars fought with more courage than success; when, on a sudden he received intelligence of the approach of the Gauls, and that the Ardeates in great consternation, were deliberating upon the measures proper to be taken in this conjuncture. It had not hitherto been his custom to appear in their public councils, but excited as it were by a divine impulse, he repaired to their assembly on this occasion.

XLIV. There he addressed them thus: "Ardeates, my old friends, but now my fellow-citizens, the first being the effect of your kindness, and the last owing to my fate, let none of you think I forget my condition, when I appear in this place of your assembly. The present occurrence and the common danger oblige every one to contribute all the assistance he can, in this unexpected calamity. Besides, when will it be in my power to make grateful returns for your favours, if I omit this opportunity? or wherein can I be serviceable to you, if not in war? By it I maintained my reputation in my own country; but after being always successful in war, I was banished in time of peace by ungrateful citizens. Now, Ardeates, a fair occasion is offered you of requiting the Roman people for all the important services they have done you, which you yourselves well remember, and for that very reason ought never to be upbraided with them; and of acquiring to your city immortal glory from the defeat of this common enemy. To these people, who are advancing hither in disorderly companies, nature has given huge bodies and impetuous spirits, rather than real strength of body and constancy of mind; and for that reason they bring more terror than force to battle with them. The defeat of the Romans is a proof of this. They took the city when open to them; but a handful of soldiers made head against them from the citadel and capitol. Now tired out with the length of the blockade, they leave it, and disperse themselves over the country; glutted with meat and wine, which they greedily devour wherever they can come by it; as soon as night comes on they lay themselves down, like wild beasts, near brooks of water, without intrenchments, guards, or sentinels. And at this very time their late success makes them less cautious than usual. If you therefore would defend your walls, and prevent this whole country from falling into the hands of the Gauls, take

arms in a full body at midnight. Follow me to slaughter, not to battle. If I do not deliver them into your hands fast asleep, to be butchered like beasts, I shall submit to the same fate at Ardea, that I met at Rome."

XLV. Both his friends and enemies were convinced that Camillus was the ablest general then living. So that, after the assembly broke up, they refreshed themselves, and carefully watched the giving of the signal. As soon as it was given, they were all ready without the gates, and Camillus at their head, in the dead of night. When they were got a little way from the city, they found the camp of the Gauls, as he had foretold, unguarded and neglected on all sides, and invaded it with a great shout. There was no fighting any where, but a great slaughter in every place; and the Gauls were killed, lying naked, and fast asleep. Yet the frightful noise roused those that were farthest off out of their beds; but they not knowing what the matter was, or whence they were attacked, some of them fled, and others rushed unawares upon the enemy. A great number escaped into the country of Antium, where the inhabitants set upon them, as they straggled up and down, and cut them to pieces. In the territories of Veii, a like slaughter was made of the Hettrurians. This people, far from commiserating the misfortunes of a city, settled almost four hundred years in their neighbourhood, and ruined by a strange and unheard of enemy, even at this very time made incursions upon the lands of Rome, and laden with booty, formed a design of attacking Veii, the only shelter and last resource of the Roman nation. The Roman soldiers spied them ranging over the country, and in a body driving the booty before them; they likewise observed their camp pitched not far from Veii. Hereupon they first lamented their own situation, but presently indignation, and, afterwards, resentment enflamed their hearts, "Do the Hettrurians too, said they, from whom we diverted the arms of the Gauls, and brought them upon ourselves, make sport at our misfortunes?" It was with difficulty they were restrained from attacking them that instant; but their ardour being checked by Cædicius, a centurion, to whom they had given the command, they suspended their vengeance till night. All that was wanting was a general equal to the great Camillus, otherwise every thing was conducted with the same order, and had the same success as at Ardea. Besides, this being conducted by the prisoners who survived this night's slaughter, they marched against another body of Hettrurians, encamped at the salt-pits (*a*), and, before they were aware, made a great slaughter of them the next night.

Thus flushed with a double victory, they returned triumphant to Veii.

XLVI. In the mean time, the siege of Rome was but slowly carried on, and both sides remained inactive, the Gauls being solely intent upon preventing any of their enemies from escaping through their guards; when all on a sudden a young Roman drew upon himself the admiration both of his fellow-citizens and enemies. A sacrifice, peculiar to the Fabian family (*a*), had been fixed to the Quirinal hill, and could be performed no where else. Therefore C. Fabius Dorso came down from the capitol to perform the same, and in his sacrificing dress (*b*), and all the apparatus for that ceremony in his hands, passed through the enemy's guards, and, without being moved at what they did or said, arrived on the Quirinal hill. Having duly performed this sacrifice in that place, and returning with the same steady countenance and pace, he re-entered the capitol, in full confidence that those gods, whose worship even the fears of death could not force him to abandon, would be propitious to him. The Gauls were either astonished at his surprising boldness, or moved by a sense of religion, which that people do by no means neglect. In the mean time the army at Veii not only gained fresh spirits, but was considerably reinforced daily, not only by many Romans out of the country, who had been dispersed after the defeat at Allia, and the unfortunate taking of Rome; but likewise by crowds of Latine volunteers, who joined them in hopes of sharing in the spoil. They thought it was now high time to recover their country, and deliver it from the hands of the enemy. But this strong body wanted a head. The very place put them in mind of Camillus, and besides great part of that very army had fought with success under the conduct and auspices of that able commander. Cædicus likewise said, "he would do nothing to provoke either gods or men to put an end to his command, but would himself remember his rank, and demand a general." Thus they unanimously agreed to send for Camillus from Ardea, but not till they had first consulted the senate at Rome; so modest were they in all respects, and shewed so great a deference to the forms of their government, even when the republic was almost on the brink of ruin! It was a dangerous attempt to pass through the enemy's guards to the citadel. But Pontius Cominius, an active young man, promised his service in the affair; and laying himself on the bark of a tree, was safely carried down the stream of the Tyber to the city. Then he got up into the capitol by a steep rock on the side next the river, which was for that reason left unguarded by



the enemy; and being brought before the magistrates, delivered his commission from the army. Having received the senate's decree, "that Camillus should, by an act of the comitia assembled by curiæ, be recalled from exile, be, by an edict of the people, immediately appointed dictator, and that the army should have the general they desired," he came down from the capitol by the same way, and returned to Veii: and deputies were dispatched to Ardea, who brought Camillus to Veii; or rather an act, repealing his banishment, was passed in the comitia assembled by curiæ, and he was declared dictator in his absence; for it seems more credible he did not set out from Ardea till he had certain intelligence of the act passed by the senate; because he could not change the residence he was confined to without the voices of the people, nor take the auspices regularly in the army, in order to their entering upon action, till he was appointed dictator.

XLVII. During these transactions at Veii, the citadel and capitol of Rome were in great danger. For whether the Gauls had observed the prints of a man's feet in that place where the messenger from Veii had got up, or of themselves discovered that it was accessible by the rock Carmentalis (*a*), they one clear night first sent an unarmed man before to examine the way, and then handed him up his arms; and where it was steep, they supported, lifted, and drew one another up, as the difficulty of the place required, till they reached the top with so much silence, that they not only passed unobserved by the guards, but did not even awake the dogs, animals soon disturbed by noise in the night. But they did not escape the vigilance of the geese, from whom, as sacred to Juno, the Romans abstained, though in the greatest want of provisions (*b*). And this saved the capitol. For first by their cackling, and then by beating their wings, they roused M. Manlius, who had been consul three years before, and was a great soldier. He, snatching up his arms, and giving the alarm to the rest, ran to the rampart, and while the rest trembled with fear, with the boss of his buckler tumbled down a Gaul, who was standing on the top of the wall. This man in his fall beat down those who were next to him, and Manlius killed others who, having in fright quitted their arms, were hanging by the hands on the rocks. In short, other Romans crowded to the place, and beat off the aggressors with darts and stones, so that the whole body of them tumbled headlong from the precipice. When the confusion was over the Romans spent the remainder of the night as quietly, as people whose minds were so much disturbed with the danger they had escaped could do. At day-break the military tribunes assembled their

troops by sound of trumpet, in order to bestow rewards and inflict punishments on those who deserved them. In the first place Manlius was praised for his bravery, and had presents made him not only by the military tribunes, but by the whole body of the soldiers; for each of them brought into his house, which stood in the citadel, half a pound of meal, and a measure of wine containing five ounces; indeed a small reward in itself, but the present scarcity made it a great proof of their affection, each retrenching of his own subsistence, and the necessaries of life, to do honour to the merit of one man. The sentinels on that post where the enemy had privately climbed up were next called. And though the military tribune Sulpicius declared he would punish them all according to the law of arms, yet, all the soldiers laying the blame on one particular sentinel, he was afraid of a mutiny, and therefore spared the rest; but with the general approbation threw him who was certainly guilty down from the rock. From that time guard was kept with greater care by both sides. The Gauls were more vigilant, because it was commonly reported, that messengers went between Rome and Veii; and the Romans from the remembrance of the danger they had run in the night.

XLVIII. But famine distressed both parties, more than any other calamities of siege and war. Besides, the Gauls had the plague amongst them, as they were encamped in a low ground lying between two hills, exceeding hot by reason of the burning houses, and full of smoke, and, when any wind stirred, both ashes and dust flying about in an intolerable manner. As this people were accustomed to a moist and cold climate, they were not able to support under these nuisances, but being tormented and stifled with the excessive heat, died like rotten sheep. And, wearied with burying single persons at a time, they piled up their dead carcases in heaps, and burnt them promiscuously. Thence this place took a famous name, "the Gaul's burying place." Upon this they made a truce with the Romans, during which, with the general's permission, the two armies conversed together; and while the Gauls upbraided the besieged with want of provisions, and demanded them to surrender on that account, it is said, to obviate that thought, the Romans threw loaves of bread from the capitol, into the posts of the enemy (*a*). But by this time the famine could neither be concealed nor endured any longer. Therefore whilst the dictator was levying troops by himself at Ardea, he commanded L. Valerius general of the horse, to bring the army from Veii, and was taking proper measures to make himself a match for the enemy. In the mean time the army in

the capitol, fatigued with mounting guard and watching, after having surmounted all other human miseries, but not able to support under hunger, which is invincible to nature, and day after day in expectation of some aid appearing from the dictator, at length not only their provisions but their hopes likewise failing, and their feeble bodies sinking under the weight of their arms as they mounted guard, absolutely demanded leave to surrender, or ransom themselves, on the best terms they could. The Gauls likewise gave distinct hints in their discourses, "that they would raise the siege for a small ransom." With that the senate met, and gave the military tribunes power to make an accommodation, which was concluded in a conference between Q. Sulpicius, the military tribune, and Brennus, general of the Gauls; and a thousand pounds weight of gold (*b*) was the price to be paid for a people who were soon to command the universe. This was in itself a shameful capitulation, but the Gauls superadded another mark of indignity. They brought false weights, and when the tribune refused them, their haughty monarch threw his sword into the scale, and was heard to say, "Wo to the conquered," an expression altogether insupportable to the Romans.

XLIX. But both gods and men hindered the Romans from living on the terms of a ransomed nation. For by lucky accident, before this infamous price of their redemption was all paid, their wrangling having hindered the whole gold from being weighed, the dictator came up, and commanded the money to be taken away, and the Gauls to be gone. When they refused; pleading the capitulation they had made, he replied, "that no treaty concluded with a magistrate of inferior authority, without his orders, after he had been nominated dictator, could be valid," and with that bade them "prepare for battle." He ordered his own troops to throw their baggage in a heap, and stand to their arms; "for by the sword and not by money they were to redeem their country. They were to fight in view of the temples of their gods, their wives, children and native soil (disfigured by the calamities of war) and all that ought to be defended, recovered and revenged." Then he drew up his legions amidst the rubbish of the almost ruined city, and an uneven ground, in the best manner the nature of the place would allow, and took all the precautions that skill in military affairs could suggest or recommend for the advantage of his own troops. The Gauls, surprised at this new scene, ran to their arms, and attacked the Romans with greater fury than prudence. Fortune had now changed sides, and the Romans had the help of both gods and men. So that at the first charge the

Gauls were routed with as much ease as they had got the victory at Allia. They received a more complete defeat, by the valour and good conduct of the same Camillus, in a second battle, which they fought eight miles from Rome on the Gabinian road. There they were all slaughtered, their camp taken, and not a man of them left to carry home the accounts of their defeat. The dictator, having recovered his native country from the enemy, returned in triumph to Rome, and the soldiers, in their unpolished mirth, stiled him a second Romulus, the father of his country, and founder of a new city, praises he justly merited. But he certainly saved the same country, which he had preserved in war, a second time in peace, by hindering the people from removing to Veii, though both the tribunes were more keen in promoting that matter after the city was burnt, and the people themselves more inclined to follow that advice than before. For this reason he did not abdicate the dictatorship after his triumph, the senate having conjured him, "not to leave the commonwealth in an unsettled state."

L. As Camillus was most zealous in point of religion, he in the first place took under consideration the concerns of the immortal gods, and caused a decree of the senate to be passed, "that all the temples, because they had been profaned by being in the possession of enemies, should be rebuilt, bounded, and purified; and the books in the custody of the duumvirs should be consulted for the manner of performing this expiation. That by public authority a treaty of friendship should be made with the Cærites, because they had given refuge to the Roman priests, and sacred things, and by the kindness of that people, the worship of the immortal gods had not been intermitted. That the ludi capitolini (*a*) should be celebrated in gratitude to the great Jupiter, who, in time of danger, had preserved his own august abode (*b*), and the citadel of the Roman people; and that, for the performance of them, Camillus should establish a college, the members whereof should be chosen from those people who lived in the capitol and citadel." Mention was also made of expiating the neglect of that voice, which had been heard in the night, forewarning them of their ruin, before the war with the Gauls, and a temple ordered to be erected to Aius Locutius in new-street (*c*). It was likewise ordered that the gold which had been rescued from the Gauls, and what, in the midst of their danger, had been taken out of the other temples, and carried into the chapel of Jupiter, should be deemed sacred, and deposited at his shrine, seeing in the confusion they had forgot the proper places to which it ought to be

returned. The religion of the Romans had formerly appeared, in that when the public wanted gold to make up the sum which they had agreed to pay the Gauls for their ransom, the ladies had supplied that want, that the sacred treasure might not be touched; for which act of generosity they had thanks returned them, and the additional honour of having, after their death, funeral orations pronounced over them as well as the men. When every thing relating to the gods, and what was under the cognizance of the senate, was performed, and while the tribunes, in their daily harangues, excited the people to leave the ruins of Rome, and remove to Veii, a city ready built and provided with all conveniences, Camillus went into the public assembly of the people, attended by the whole body of the senate, and addressed them in the following speech:—

LI. “Romans, contests with your tribunes give me so great uneasiness, that the reflection of my being at a great distance from their contentions, was the only comfort I had in my unfortunate exile, while I lived at Ardea; and for the same reason I never should have returned from that place, if you had not recalled me by a decree of the senate, and the voices of the people. Nor is it owing to a change in my opinion that I am now returned, but your distressed condition obliged me to do it. For the question was not, whether I should be re-established in my native country, but whether it should continue on its basis. Nor would I now open my lips, nay I would willingly be silent, was not this a struggle in behalf of my country, to forsake which would be shameful in any other, but criminal in Camillus, while any spark of life remained. For why did we recover, why did we deliver our besieged city out of the hands of enemies, if, now it is redeemed, we ourselves abandon it? If, after both gods and Romans kept possession of, and inhabited the capitol and citadel, when all the rest of the city was taken by the victorious Gauls, we now, when the Romans are conquerors, and our city regained, desert that same capitol and citadel, and our success occasion greater solitude in Rome than our adversity did? Truly, if we had no regard to the religious rites, instituted and delivered down to us from the foundation of our city; yet, considering the remarkable evidence the supreme being has at this time given, of his protecting the Romans, I imagine, men can no longer neglect the worship of the gods. For, I beseech you, look back to all the adversity and prosperity of former years; and you will find, that every thing prospered when you performed your duty to the gods, and every thing became unfortunate when you

despised them. First of all, the war with Veii, which, alas! lasted so many years with incredible fatigue, was not ended, till, by the counsel of the gods, the water was let out of the Alban lake. What shall I say of the late destruction of our city? Was it not the effect of our slighting a voice sent from heaven to forewarn us of the coming of the Gauls; of the sacred law of nations being violated by our ambassadors, and of our not punishing, through a like neglect of the gods, that crime as we ought? For this, therefore, have we suffered so much from gods and men; we have been conquered, made captives, and ransomed, as examples to all the world. Our misfortunes then put us in mind of the duties of religion. We fled to the gods in the capitol, we took refuge in the august abode of Jupiter, the greatest and best of beings; in midst the general ruin of our state, we hid some of our sacred things in the earth, and carried others to the neighbouring cities, out of our enemy's reach. Though thus abandoned by gods and men, we did not omit the worship of the former, and for this they restored us our country, victory, and our ancient renown in war, which we had forfeited; for this they turned all their fury upon the enemy, put them to flight, and delivered them up to certain slaughter, because, blinded by avarice, they had broke their faith and bargain in weighing the gold.

LII. "Romans, having before your eyes such instances of the effects of regarding or contemning the gods in human affairs, do you not perceive what horrid crimes we are about to commit, even before we are well escaped from the wreck of our former faults and misfortunes? We inhabit a city founded in lucky auspices and auguries: every place of it abounds with traces of religion and the gods; and the places for performing our yearly solemn sacrifices are as fixed as the days on which they are to be celebrated. Would you then, Romans, abandon all these gods, both public and private? Or has this act of yours the least resemblance to that of the noble youth C. Fabius, who was lately seen, in time of the siege, to your great astonishment, as well as the enemy's, come down from the citadel, amidst the darts of the Gauls, and perform a yearly sacrifice, peculiar to the Fabian family, on the Quirinal hill? Are the holy rites of a private family not to be omitted in time of war, and do you think it fit that the public sacred rights and Roman gods should be abandoned in time of peace; that the priests and flamens should be less careful of performing the public ceremonies of religion, than a private person those of his family? Perhaps some will say, we will either celebrate these holy rites at Veii ourselves, or send priests from

thence hither to perform them. But neither can be done without violation of our ceremonies. For, not to run over all the sacred ceremonies, or all the gods in particular, in the festival of Jupiter can the bed be spread in any other place but in the capitol? Why need I mention the eternal fire of Vesta, and the image safely kept in her temple as a pledge of dominion? Why should I speak of your Ancilia, Mars Gradivus, and father Romulus? Would you have all these holy things, which are as old as the city, nay some of them more ancient than its foundation, abandoned in a profane place? But mark the difference between us and our ancestors. They handed down to us certain sacred rites, to be celebrated on mount Alba and Lavinium. Was it an act of religion to bring religious ceremonies from an enemy's city to us at Rome; and shall we, without being guilty of sacrilege, carry them from hence to an enemy's town, Veii? Pray call to mind, how often our sacred rites have been performed anew, when any ancient usage has been, by negligence or accident, omitted. What was it of late, after the prodigy of the Alban lake, but the renewing of the sacred rites and the 'auspices, that relieved the commonwealth, oppressed with the Veian war? But besides all, we, mindful as it were of our ancient religious institutions, have brought foreign gods to Rome, and instituted new ones. Juno, queen of the gods, was lately brought from Veii, and how gloriously was the day of her dedication on the Aventine hill celebrated by the zeal of the ladies. We ordered a temple to be erected in New-street to Aius Locutius on account of the voice which was heard in the night. We have added the ludi capitolini to the other solemn games, and, by the authority of the Senate, have established a new college of actors to perform them. What needed we have undertaken all this, if we were resolved to leave Rome at the same time with the Gauls? If we did not voluntarily stay in the capitol during so many months that the siege lasted? If it was fear that kept us from the enemy? But I have only hitherto mentioned our religious institutions and temples; but what shall I now say in relation to the priests? Do not you consider what crime we are about to commit in regard to them? the Vestals are fixed to one place of abode, from which nothing but the taking of Rome ever moved them. It is unlawful for the priest of Jupiter to stay one night out of Rome. And would you make them Veientine instead of Roman priests, and, O Vesta, would thy ministers forsake thee now? And will that priest, by living in a strange country, bring so great guilt upon himself and the republic every night? What need I mention other things,

which are performed by auspices, almost all within the *pomærium*? Can we forget or neglect any part of them? The *comitia* by *curiæ*, which have the cognizance of military affairs; the *comitia* by centuries, in which the consuls and military tribunes are elected, where can they be held, under proper auspices, but in the usual place? Shall we translate them to *Veii*? or shall the people, with so much inconvenience, meet in this city, abandoned both by gods and men, for the sake of holding these *comitia*?

LIII. "But it is urged, that necessity obliges us to leave a city made desolate by fire and sword, to remove to *Veii*, where every thing is entire, and not harass a poor people with rebuilding of Rome. Romans, though I did not tell you, yet I believe you see clearly, that this is a vain pretext, not founded in truth; for you remember, that before the arrival of the Gauls, when both your public and private buildings were untouched, and your city in safety, the same affair of removing to *Veii* was in agitation. Remark, tribunes, the difference between my sentiments and yours. You think, that although there was no reason for making this removal then, yet now there is. I on the contrary, (be not surprised till you hear rightly what I have to urge) am of opinion, that supposing we ought then to have removed, when Rome was whole and entire, yet we ought not now to leave these ruins. For at that time our victory was some reason for our removing to the captive city, which would have been glorious to us and our posterity. But now it would be both mean and shameful in us, and do honour to the Gauls. For we will rather seem to have been conquered and lost our country, than to have left it victorious. Is it the defeat at *Allia*, the taking of our city, and the blockade of the capitol, that hath laid us under the necessity of abandoning our tutelary gods, of flying and banishing ourselves from a place we were not able to defend? Shall the Gauls be able to demolish Rome, and shall it be thought the Romans were not able to rebuild it? What then remains, but that they, as it is well known their numbers are incredible, return with a new army, and inhabit this city, which they have taken and you abandoned? If they had a mind to settle in Rome, would you suffer it? What if not the Gauls, but your former enemies, the *Æqui* and *Volsci*, should remove to Rome? Would you permit them to become Romans, and yourselves only burghers of *Veii*? Whether would you choose that this should be a wilderness in your own possession, or a city inhabited by enemies! Truly I cannot determine which of these would be the greatest crime. Are you ready to



commit so many crimes, and suffer such disgrace, because you are loth to rebuild the city? If it was not possible to get better or larger houses than the poor cottage of our founder, would it not be more eligible to dwell in huts, like shepherds and herdsmen, amidst your sacred and household gods, than that the whole state should go into banishment? Did our ancestors, who were strangers, and shepherds, so soon build themselves a new city, when there was nothing in this place but woods and marshes; and shall we, when the capitol, citadel and temples of the gods are standing and safe, think it difficult to rebuild a city destroyed by fire. Why do all of us refuse to do that in this general conflagration, which each individual would do, if his private house should be burnt down?

LIV. "But what if at length, either by treachery or accident a fire should happen at Veii, and the wind (as might chance to be the case) should spread the flames so as to consume best part of that city; must we then seek to remove from thence to Fidenæ, Gabii, or some other town? Has your native soil no charms to attract you? Has this country, which we call mother, none? And does our love to our country extend only to roofs and rafters? Truly, though it gives me less pleasure to call your injustice, than my own misfortune to remembrance, I will frankly own, that as oft as in my banishment I reflected on my native country, the delightful hills, the pleasant fields, the Tiber, that country I was accustomed with pleasure to survey, this sky under which I was born and bred, came into my mind. Let these, O Romans, rather engage you by their attractive charms, to remain in your own place of abode, than torment yourselves with the want of them after you have left them. It was not without good reason, that both gods and men pitched upon this place to build a city in; most wholesome hills, and a convenient river, both for conveying the corns from the inland country, and furnishing us with merchandize by sea; the sea so near as to serve all good purposes, but at such distance as does not expose us to the dangers of being attacked by foreign fleets: in short, lying in the very centre of Italy, the only situation capable to promote the increase of a city. Its own greatness in so short a time is a proof of this. It is now, Romans, but the three hundred and sixty-fifth year of our city. So long have you waged war with so many ancient nations, and after all neither the Volsci in conjunction with the Æqui, possessing so many and strong cities; not all Hetrumia so powerful both by sea and land, and extending the whole breadth of Italy between two seas, have been able to cope with you in war.

Since this is the case, what reason, in the name of misfortune! can people of your experience, and who may carry your own courage but never surely the fortune of your city hence, have for trying new experiments? Here is the capitol, where the head of a man was formerly found and declared that Rome should be the capital of the world, and mistress of the universe. Here, when the capitol was by augury cleared of all other forms of religious worship, the gods Youth and Terminus, to the great joy of our ancestors, would not suffer themselves to be removed. Here are the fires of Vesta, here are the bucklers that fell from heaven, here are all the gods ready to shower prosperity upon you if you continue in Rome."

LV. It is said that the whole speech of Camillus, but especially that part which related to religion, made a great impression upon the multitude. But a word seasonably pronounced determined their doubts. For shortly afterwards, while the senate was met in the Curia Hostilia to deliberate on these things, the cohorts by chance in their return from guard passed in a body through the forum, and a centurion called out in the comitium, "Ensign-bearer, halt here and plant your colours: it is the best place we can stay in." Upon this the senators ran out of the temple exclaiming, "We accept the omen," and the whole multitude that stood round approved of it. Having thus rejected the law, they began to build the city at random. The public furnished tiles, and leave was granted to every one to dig stone and other materials where he pleased, giving security that they would finish their houses that year. Their hurry occasioned them to have no regard to the regularity of the streets, for each, without minding whether it was his own or another's ground, built wherever he found an empty place. By this means it happened, that the ancient sewers, which ran at first through the streets, now run every where under private houses; and the city had more the appearance of a place well inhabited than regularly disposed.

END OF THE FIFTH BOOK.

# THE HISTORY OF TITUS LIVIUS.

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## BOOK SIXTH.

*This book contains an account of the success of the Romans against the Æqui, the Volsci, and the people of Præneste. Four new tribes added, the Stellatine, Sabatine, Tromantine, and Narnian. M. Manlius, though he had saved the capitol from being taken by the Gauls, though he had relieved all who were in debt to others, and redeemed those who were bound to servitude for insolvency, yet is precipitated from the Tarpeian rock ; being condemned on suspicion of his aspiring to be king : the senate, to render him infamous, pass a decree, that for the future not any of the Manlian family shall bear the prænomen of Marcus. Two of the tribunes of the people, C. Licinius, and L. Sestius, publish a law for raising plebeians to the consulship, which was never before enjoyed by any but patricians. The fathers strenuously oppose this law, yet it is carried by the same tribunes who bore that office five years successively, and L. Sestius was the first plebeian, that was elected consul. Another law passes, that no single person shall possess more than five hundred acres of land.*

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I. I HAVE, in the five preceding books, given an account of the transactions of the Roman people, first under the government of kings, and afterwards of consuls, dictators, decemvirs and military tribunes with consular power, from the foundation of their city to the time of its being taken by the Gauls. But the foreign wars and domestic seditions, wherein they were engaged during this period, are in great measure involved in obscurity, not only on account of their too great antiquity, as things at a distance cannot be distinctly discerned ; but also, because the use of letters, which are the only faithful records of historical events, was but little known in those early times ; and if there was any thing of moment in the registers of the pontiffs, or other public or private monuments, the greatest part of them perished in the flames that consumed the city. But as, on the back of this calamity, Rome received a second beginning, and rose out of her ruins with greater lustre than before, like shoots which spring up in greater number and with uncommon forwardness from the root after the tree is cut down ; so the Roman exploits in war, and transactions in time of peace, shall henceforth be narrated with greater perspicuity, and confirmed by more authentic testimonies. To proceed then : As Marcus Furius Camillus was the person who first raised the state from ruin, so he had the principal hand in support-

ing it when raised. Therefore the Romans would not suffer him to abdicate his dictatorship till the year was completed: and as they did not chuse that the military tribunes, during whose administration the city had been taken, should hold the comitia for the election of magistrates against the next year, the government returned to an interregnum. In the mean time, while the people were constantly and busily employed in rebuilding the city, as soon as Q. Fabius was out of his office, he was cited by C. Marcius, tribune of the people, to take his trial for having, contrary to the law of nations, fought against the Gauls, to whom he had been sent ambassador. But as death delivered him from this prosecution, it happened so opportunely, that it was generally believed to be voluntary. During the interregnum, P. Cornelius Scipio, and M. Furius Camillus for the second time served the office of interrex. The latter created L. Valerius Poplicola a second time, L. Virginus, P. Cornelius, A. Manlius, L. Æmilius and L. Posthumius military tribunes with consular power. These magistrates having entered into their office immediately after the interregnum, their first care was to consult the senate about religious concerns. And in the first place ordered that diligent search should be made for all the treaties then extant, and all the laws, which at that time were confined to those of the twelve tables, and certain regulations made by the Roman kings. Some of them were published among the people; but such as related to sacred things were kept secret by the pontiffs, chiefly with a view to make religion the means of keeping the vulgar in a constant subjection to them. Then they took under consideration the lucky and unlucky days, and the seventeenth day of July, which was remarkable for two great disasters (being the day on which the Fabii were cut off at Cremera, and that of the defeat at Allia, which occasioned the destruction of the city), they called, from the latter misfortune, dies Alliensis (*a*), and stamped a mark upon it, that no public or private business should be transacted thereon. Some are of opinion, that because Sulpicius, the military tribune, could not, by the sacrifices he offered on the sixteenth of July, find any favourable omen, or obtain favour from the gods, and in consequence thereof, the Roman army had been routed three days after by the enemy, it was ordered that no sacrifice should be offered on the day after the ides, and that this likewise is the origin of the tradition which extends the same regulation to the day after the kalends and nones of every month.

II. But they were not long allowed to deliberate quietly upon proper measures for reinstating the public after this heavy cala-

mity. For the merchants brought account, that, on the one hand, their old enemies the Volsci had taken up arms, with a design to extirpate the Roman name; and, on the other, the principal men of all the lucumonies of Hetruria had met at the temple of Voltumna, and entered into a confederacy to make war against Rome. A new subject of terror was likewise added by the revolt of the Latines and Hernici, who, ever since the battle at the lake Regillus, which happened near an hundred years before, had continued faithful to their alliance with the Romans. Wherefore, as they were thus menaced with uncommon dangers from all quarters, and it was plainly evident to all that the Roman name was become, not only hateful to their enemies, but also contemptible amongst their allies, they resolved to create M. Furius Camillus dictator, that so the state might be defended by the good conduct of the same person who had formerly recovered it from ruin. The dictator appointed C. Servilius Ahala general of the horse; and having prohibited all judiciary proceedings, levied the young men, yet so as not to exclude the aged citizens, who had any strength remaining; for them he also formed into centuries, and obliged to take the military oath. Having thus mustered his troops, he divided them into three bodies. One he sent into the country of Veii to make head against Hetruria; another he ordered to encamp before the city. A. Manlius, a military tribune, commanded the latter, L. Æmilius that which was sent against Hetruria, and the dictator himself led the third against the Volsci. He began to storm their camp at a place called Marcus (*a*), not far from Lanuvium (*b*). They had taken the field in great contempt of the Romans, whose youth they imagined had been all destroyed by the Gauls: but when they heard that Camillus was general, his very name struck them with such terror, that they secured themselves within a strong rampart, and it with a barricade of trees, that the enemy might have no passage into their entrenchments. When the dictator perceived this, he ordered fire to be thrown into the fence of trees which covered their lines. By chance the wind blew fiercely against the enemy; so that he not only cleared a passage to their camp by the fire, but by the heat, smoke, and crackling of the green stuff, threw the enemy into such consternation, that the Romans found less difficulty in getting over the trench into the Volcan camp, than in passing the barricade of trees which was burnt down. When the enemy were all routed and slaughtered, the dictator, seeing he had taken the camp by storm, gave the plunder to the soldiers, and this bounty was the more agreeable, as they had little expected it.

from a general, who had never before shewn himself liberal. Then he pursued those who had fled, and having laid waste all the Volscan dominions, wholly subdued that people, one hundred and seven (*a*) years after they had commenced hostilities against Rome. The conqueror passed over from the Volsci to the Æqui, who were making preparations for war, defeated their army at Bola (*b*), and then attacking not only the camp, but even the town, he took both at the first assault.

III. While there was such success on this side, where Camillus, the prop of the state, commanded, the terror increased on the other. Almost all Hetruria was up in arms, and besieged Sutrium (*a*), a city in alliance with the Romans. When the Sutrini sent ambassadors to the senate, imploring help in this calamity, a decree passed, "that the dictator should march to their relief without delay." But the miserable situation of the besieged would not suffer them to wait the coming of this relief; for the handful of men they had in the town being quite worn out with labour, watching, and wounds, (as the same persons were continually exposed to these hardships, without the least relief,) they were obliged to surrender their city by capitulation; and being disarmed, and sent away with a single garment a-piece, as they were in a train leaving their native country in this destitute plight, by good luck they met Camillus with the Roman army. This sorrowful company threw themselves at his feet; their chiefs had recourse to prayers, which the last extremity wrung from them, and the women and children, who accompanied them in their exile, seconded them with their tears. Upon which he bade them, "cease their lamentations, for he brought sorrow and tears to the Heturians;" and ordered the Sutrini, with whom he left a small guard, to "sit still in that place," and his own men to "lay down their baggage, and take only their arms with them." Then he marched with all expedition to Sutrium, where he found, as he expected, and as is usual after victory, every thing neglected; no guards before the walls, the gates standing open, and the conquerors dispersed, carrying the spoil out of the enemy's houses. Thus was Sutrium twice taken in one day. The late victorious Heturians were killed every where by the new enemy. Nor had they time to rendezvous and form themselves together in one body, or to take their arms. And when each, as he best could, ran to the gates, to find, if possible, some way to escape to the fields, they found them shut, for that was the dictator's first order. Upon that some ran to their arms, others, who had them in their hands when the attack began, called their

neighbours to their assistance, and, as they were thus reduced to despair, would have made an obstinate resistance, had not the heralds who were sent through the city, to summon them to lay down their weapons, proclaimed quarter to all who did so, and that none should be hurt but such as continued in arms. Then those who, when they had no other refuge, were fully resolved to defend themselves, and fight to the last extremity, after they had hopes of life given them, threw down their weapons; and as fortune had made that their safest course, surrendered themselves unarmed to the enemy. A great number of them were disposed of in the prisons, and before night the Sutrini were put in possession of their city, which was still entire, and had suffered none of the calamities of war; because it had not been taken by storm, but surrendered by capitulation.

IV. Camillus having thus conquered three several enemies in one campaign, returned to Rome in triumph. The captives led before his chariot were for the most part *Hetrurians*. When they were sold by auction, the sum raised by the sale was so considerable, that the ladies were repaid the gold they had advanced for the state; and of the overplus were made three golden bowls, which it is well known were inscribed with Camillus's name, and to be seen at the feet of Juno in the chapel of Jupiter, before the burning of the capitol. The same year, such of the *Veientes*, *Capenates*, and *Falisci* as had fled to the Romans while they were at war with those states, were made citizens of Rome, and had land assigned them. Such Romans as, to avoid the trouble of rebuilding their houses, had removed to *Veii*, and taken possession of the empty ones there, were recalled by a decree of the senate. They at first murmured, and did not comply; but at last, a certain day being fixed for their returning to Rome, upon pain of death, fear broke their obstinacy, and made each of them obey. And thus Rome not only became very populous, but houses rose in every corner of it. The state helped to defray the expence; and the *Ædiles* exacted the labour of the people as a service they owed to the republic; nay, private persons, prompted by a desire of having convenient habitations, hastened to complete the work, and within the year a new city was entirely finished. In the end of the year the *comitia* were assembled for the election of military tribunes with consular power, and chose *T. Quinctius Cincinnatus*, *Q. Servilius Fidenes* a fifth time, *Julius Iulus*, *L. Aquilius Corvus*, *L. Lucretius Tricipitinus* and *Servius Sulpicius Rufus*. They led one army against the *Æqui*, not to make war, for that people owned themselves conquered; but, out

of revenge, to ravage their country, and that they might not leave them any strength for raising a new rebellion. Another they led into the territories of the Tarquinienses, where they took and demolished two cities belonging to the Hetrurians, Cortuosa and Contenebra (*a*). There was no resistance made at Cortuosa, for they came upon it by surprize, and, having carried it at the first shout and assault, plundered and set it on fire. But Contenebra sustained a siege for a few days. Yet the inhabitants were reduced by continual toil, from which they had no respite. For the Roman army was divided into six bodies, which relieved each other by turns every six hours, while the small number of the townsmen obliged the same persons to be constantly exposed to fatigue, and upon close duty against the enemy; so that at last they surrendered, and let the enemy enter the town. The military tribunes intended to have appropriated the spoil to the public; but they were not quick enough in giving orders to put their designs in execution. For whilst they deliberated, the soldiers took possession of it, nor could it be taken from them without exciting their resentment. In the same year, that the city might not not be stored with private buildings only, the capitol was repaired with square stone, a work which still deserves to be admired, notwithstanding the pomp and magnificence of the city in this present age (*b*).

V. And now, when the citizens were employed in building, the tribunes of the people often made harangues in their assemblies about the agrarian laws; and to encourage the hopes of the commons, they frequently talked of the Pomptin territory, which was now, since Camillus had quite subdued the Volsci, become the undoubted property of the Romans. It was pretended, "that that territory was more exposed to suffer from the nobility than it had ever been by the attacks of the Volsci. For the latter only made incursions upon it, and that not at all times, but only in time of war, and when they had the advantage; whereas the former violently seized the lands of the public as a constant inheritance; and the people could have no share in them, if they were not divided, before the patricians had got all into their clutches." These declamations made but little impression upon the commons, few of whom frequented the forum; so much were they taken up with building, and at the same time so drained of money, that they little minded the lands, which they were not able to stock. In a state full of respect for religion, the principal magistrates, from a remembrance of their late calamity, even carried their zeal to superstition; and therefore that the auspices



might be renewed for a new election, the government returned to an interregnum. During it, M. Manlius Capitolinus, Servius Sulpicius Camerinus, and L. Valerius Potitus successively governed the republic. At length the latter held the comitia for electing military tribunes with consular power, and L. Papirius, C. Cornelius, C. Sergius, L. Æmilius a second, L. Menenius, L. Valerius Poplicola a third time were elected. They entered into office, and put an end to the interregnum. That year the temple of Mars, which had been vowed in the war with the Gauls, was dedicated by T. Quinctius the duumvir, who had the care of religious affairs. Four tribes (*a*), composed of the new citizens, were added to the former; the Stellatine (*b*), Tromantine (*c*) Sabatine (*d*), and the Narniensine (*e*), and these increased the number of tribes to twenty five (*f*).

VI. L. Sicinius, tribune of the people, brought the affair of the Pomptin lands again upon the carpet, before a numerous assembly of the people, and more disposed to covet the lands, than they had been before. A motion was likewise made in the senate concerning war with the Latines and Hernici, but it was put off, as they were more intent upon a war of greater importance, for Hetruria was up in arms. The chief administration of affairs was entrusted to Camillus, who was chosen military tribune for the following year, and had for colleagues, Ser. Cornelius Maluginensis, Q. Servilius Fidenas a sixth time, L. Quinctius Cincinnatus, L. Horatius Pulvillus and P. Valerius. In the beginning of the year the public care and attention was diverted from the Hetrurian war, by a body of men, who had fled from the Pomptin territories, and brought accounts to Rome, that the Antiates were up in arms, to whose assistance in that war the Latine states had privately sent their youth. Yet they disavowed its being done by public authority, insisting that volunteers were not by any treaty precluded from bearing arms, where they pleased. The republic was not yet in a condition to make light of any war, however inconsiderable, Therefore the senate were very thankful, that Camillus was in the administration; because, had he been in a private station, there would have been a necessity of nominating him dictator. His colleagues frankly owned, "that, where they dreaded an impending war, he alone was fit to be at the head of their affairs. They were, therefore, resolved to transfer their authority entirely into his hands, and should not look on the preference they gave to the dignity of this great man, as the least diminution of their own." The senate commended the tribunes, and Camillus, confounded with the unexpected honour done him,

thanked them very kindly. "The Roman people, said he, had conferred a fourth dictatorship upon him, and the senate, by a judgment so much to his advantage, which that illustrious order had passed of him, laid a very heavy burden upon him; but his honoured colleagues, by the deference they had paid him, had laid him under the greatest obligations. If therefore it was possible to improve his former labour and vigilance, he would strain hard and use his utmost efforts, to render that esteem, which all ranks in the state so universally expressed of him, as perpetual as it was great. As to the Antiates and the war with them, there was more impotent menaces than real danger to be apprehended from that quarter. But though he thought they had nothing to fear, yet he would advise them not to neglect the most inconsiderable enemy, Rome was the object of the hatred and jealousy of all the nations round about; which made it necessary to have several generals and several armies on foot for the defence of the republic. It is therefore my pleasure, P. Valerius, said he, that you share with me the command and conduct of the army to be led against the Antiates. And that you, Q. Servilius, encamp near this city with another army, properly accoutred and in continual readiness to march; carefully observing, whether the Hetrurians in the mean time, as they did lately, or the Latines and Hernici, who at present annoy us, offer to move. And I am confident you will discharge this commission in a manner worthy the memory of your grandfather and father, worthy of yourself, and becoming one who has honourably passed through six tribunates. Let L. Quinctius raise a third army, out of those whose infirmities (*a*) and age excuse them from service in the field, and with them let him garrison the city and walls. Let it be Horatius's office to provide arms, accoutrements, and provisions, and such other things as may in any event be necessary for the war. Lastly, Sergius Cornelius, we your fellow tribunes appoint you president of this venerable house, and superintendant of religion, the comitia, laws, and all civil affairs in the city." After they all cheerfully promised to exert themselves in the discharge of the offices assigned them, Valerius, whom Camillus had joined in command with himself, added, "that he would take M. Furius for his dictator, and would serve in quality of general of the horse; and therefore the fathers might be as confident of the success of the war, as if Camillus were to command alone." The senate, in raptures of joy, cried out, "that they were confident of all the measures taken in war and peace, and of the whole administration of the affairs of the republic. And the state could never stand in need

of a dictator, if it had magistrates like them, among whom subsisted such harmony and union, who were so equally ready to obey or command; and willing to share their own praises with their colleagues, rather than deprive them of any part of their merit, by arrogating it to themselves."

VII. After this having prohibited all judiciary proceedings, and made the levies, *Furius* and *Valerius* set out for *Satricum*, to which place the *Antiates* had not only assembled a choice body of the *Volsci*, picked out of their youth, but great numbers of the *Latines* and *Hernici*, who had greatly multiplied during the long peace they had enjoyed. These new enemies, in conjunction with the old, struck the Roman soldiers with terror. And *Camillus*, as he was drawing up his men, being informed by the centurions, "that the troops were greatly dismayed, had been slow in taking their arms, and marched out of their camp with great backwardness and reluctance; nay, had been heard complaining, that they were going out to fight one against an hundred; and that they were scarcely able to sustain the charge of so great a multitude when unarmed, much less armed as they were," instantly mounted on horseback, rode through the ranks, and placing himself in front, so as to look the soldiers full in the face, said, "Fellow-soldiers, what means this sadness, this unusual want of ardour; Is it the enemy, me, or yourselves you have forgot? Have they not been a constant subject for exercising your valour, and enhancing your glory? And did not you on the other hand (not to mention the taking of *Falerii* and *Veii*, or the legions of *Gauls* slaughtered in our captive country) but lately obtain a triple triumph for three victories obtained under my command over these very *Volsci*, *Æqui*, and *Hetrurians*? Do you not acknowledge me to be your general, because I give the signal as military tribune, and not as dictator? I desire no extraordinary command over you, nor ought you to consider any thing in me, excepting myself. For the dictatorship never heightened, no more than banishment abated my courage. There is then no alteration in any of us; and seeing we bring all the same things to this war, that we did to the former, let us hope for the same issue of it with regard to each. As soon as you shall engage, let every one perform what he hath been taught and used to do; then you shall conquer, and they run away."

VIII. Upon this giving the signal, he leaped from his horse, and laying hold of the nearest ensign-bearer hurried him on with him against the enemy; calling aloud to him to advance with his ensign. As soon as the troops saw *Camillus*, who being advanced

in years was unfit for bodily service, advancing against the enemy, they pressed forward all at once, setting up a general shout, each calling out, "Follow your general." It is even said, that Camillus ordered the ensign to be thrown among the enemy, and that the front line exerted their utmost to recover it. And hereby the Antiates were first broken, and terror not only seized their first line, but even the body of reserve in their rear. Nor did the fierce charge of the Roman soldiers, animated by the presence of their general, only put the enemy into confusion, but nothing was more terrible to the Volsci than the sight of Camillus himself, wherever they chanced to see him. So that wherever he went, he carried certain victory along with him; which appeared most evidently, when, upon his left wing being almost routed, he hastily mounted his horse, and, flying thither armed only with a foot soldier's buckler, re-instated the battle merely by shewing himself, and pointing to the other wing, which was driving the enemy before it. Now the victory inclined to the side of the Romans, but the multitude of the enemy retarded their flight, and the dictator's troops were too much fatigued to be able to go through the slaughter of so great a number in a short time; when suddenly there fell a great rain, attended by a violent storm, which more effectually deprived the Romans of a complete victory, than put an end to the battle. Upon that a retreat was sounded, and the following night, while the Romans were at rest, put an end to the war. For the Latines and Hernici separated from the Volsci, and returned home, with success answerable to their ill designs. When the Volsci saw themselves abandoned by those allies, in confidence of whose aid they had taken up arms, they quitted their camp, and shut themselves up within the walls of Satricum, round which Camillus began first to draw lines of circumvallation, and then to form the siege thereof by raising a mount and other works against it. But perceiving the enemy made no sally to obstruct these works, he began to think they had too little courage for him to wait for victory by such slow proceedings. Upon which he encouraged his troops not to weary themselves out in a tedious siege, as they had done at Veii, for they had victory in their power. And thus his men with great cheerfulness scaled the walls and carried the place. The Volsci threw down their arms, and surrendered at discretion.

IX. But the general had formed a more important design, the siege of Antium, the capital of the Volsci, whose inhabitants had stirred up the late war. But as so strong a city could not be taken without a great apparatus of machines for throwing stones and

other warlike engines, he left the army under command of his colleague, and went to Rome, to exhort the senate to enter into proper measures for demolishing Antium. In the very time of his speech to the conscript fathers (in my opinion, because the gods had ordered that Antium should stand for some longer time) deputies arrived from Nepete and Sutrium, begging succours against the Heturians, and urging, that there was no time to be lost in sending them. Thus did fortune divert Camillus from attacking Antium. As these two cities were situated on the frontiers of Heturia, and in a manner the barrier and keys to it, the Heturians, whenever they designed to renew hostilities, took always care to seize them, and the Romans did all they could to recover and defend them. For this reason the senate came to a resolution of treating with Camillus, to lay aside all designs against Antium, and undertake the war against the Heturians. The troops which Servilius had commanded in Rome were assigned him for that service, to which he made no objection, though he would rather have had that experienced and disciplined army which lay in the country of the Volsci. All he desired was to have Valerius joined in the command with him. So Quinctius and Horatius were sent to succeed Valerius in the Volscan dominions. Then Furius and Valerius set out from the city, and arrived at Sutrium, one part of which town they found already taken by the Heturians, and in the other the townsmen scarce able to keep off the enemy by barricadoing all the avenues to it. But the arrival of the Roman succours, and the very name of Camillus, so renowned amongst enemies and allies, not only for the present gave them new life in their declining condition, but also gained time to procure fresh supplies. Camillus then divided his army into two bodies, ordering his colleague to march his troops round to that part of the town which was in possession of the enemy, and there to make an assault; not so much in hopes of carrying the place by scaling the walls, as by drawing the enemy thither, to ease the townsmen, already fatigued with fighting, and likewise find himself some opportunity of entering it without resistance. This scheme was accordingly executed on both sides at the same instant. The Heturians, thus environed with dangers, seeing their walls stormed with great violence, and the enemy already within the place, rushed out in great crowds at a gate, which was the only one not invested, and fled all in a body in terrible consternation. There was great slaughter made of the fugitives, both in the city and in the country; but

Furius's men killed the greatest number within the walls. Valerius's troops were more nimble in the pursuit, and continued the slaughter till night, when they could no longer see. After having recovered Sutrium, and restored it to their allies, the army was led to Nepete, which town the Heturians were entirely in possession of, as it had been voluntarily surrendered to them.

X. The recovery of this city seemed a more difficult enterprize than the former; not only on account of its being entirely in the enemy's possession, but also because it had been surrendered by a part of the Nepesines, who had betrayed it. However, it was resolved to send to the chief men of the country, to desire them to separate themselves from the Heturians, and put in practice that fidelity on their own part, which they had required of the Romans. But they answered, "that they were not their own masters; for the Heturians were in possession of their walls and gates." Upon which the Romans began first to frighten them by laying waste their lands. But then perceiving they had greater regard to the surrender they had made to the Heturians, than to their alliance with the Romans, the latter brought fascines from the neighbouring fields, wherewith having filled up the ditches, their army approached the walls, applied their scaling ladders, and carried the town at the first shout and assault. Then proclamation was made that all the Nepesines should lay down their arms, and that quarter should be given to all of them who should be found without them. But all the Heturians, unarmed as well as armed, were put to the sword. Such Nepesines as were the authors of surrendering their town to the enemy, were beheaded; but the harmless multitude had their effects restored to them, and a Roman garrison was left in the town. Thus the tribunes having regained two confederate cities out of the hands of the enemy, returned in triumph to Rome with their victorious army. The same year satisfaction was demanded of the Latines and Hernici, and they were called to account for not furnishing their contingent of troops for several preceding years. A full meeting of both these nations returned the following answer: "that it was neither by authority nor consent of their states that some of their youth had served under the Volsci in the war. But they had been sufficiently punished for their wicked intentions, none of them having returned home to their country. And as to their not furnishing their quota of troops, they had been prevented by the perpetual terror they were in of the Volsci, who, like a plague, so closely infested them, that they could not drive them off, even

by so many successive wars." When this answer was reported to the senate, they were of opinion, that they rather wanted a fit opportunity, than just grounds for making war on these nations.

XI. In the following year, and military tribuneship of A. Manlius, P. Cornelius, Titus and Lucius Quinctii Capitolini, L. Papirius Cursor, and C. Sergius, both a second time, a grievous war broke out abroad, but a more formidable sedition at home. The war arose from the Volsci, supported by the Latines and Hernici, who had revolted from the Romans; and the sedition, whence it was least to be feared, from M. Manlius Capitolinus, a man of noble extraction and great reputation. His extravagant ambition led him to despise all the other men of distinction; and to envy none but M. Furius Camillus, because so eminently distinguished by the honourable offices he had borne, as likewise by his extraordinary personal merit. He could not bear that that great man alone should be placed at the helm of affairs, and entrusted with the command of armies. "Camillus," said he, "was now exalted so high, that he looked on those who were elected under the same auspices, not as his colleagues, but subalterns. Whereas, would people weigh matters aright, it had never been in his power to have recovered their native city, when it was invested by the enemy, had not he himself first preserved the capitol and citadel. Camillus had surprised the Gauls while they were receiving the gold, and amused by a vain dependance upon the treaty of peace they had concluded; but he repulsed them when they were in arms, and just on the point of taking the citadel. Every soldier in Furius's army, who helped him to conquer, had a share in the glory of his exploit; but he had no partner in his victory." As he was puffed up with these conceits, and naturally hot and insolent, when he was sensible that the senate put not that value on his qualities and endowments which, in his judgment they deserved, he first abandoned the interest of the patricians, and attached himself to the populace. Afterwards he concerted measures with their magistrates, and, while he traduced the senators and cajolled the multitude, instead of being guided by prudent measures, he suffered himself to be carried away with the gale of popular applause, and chose to have the reputation of a great man rather than of a good citizen. For, not contented with proposing agrarian laws, which had always furnished the tribunes with matter of sedition, he began to attempt the ruin of public credit, representing, that "debts were pricking goads, which not only threatened poverty and disgrace, but even subjected freemen to imprisonment and corporeal

punishments." And the truth is, as nothing has a greater tendency than debt, to ruin the rich as well the poor, so the people were greatly loaded with it, by reason of the charges they were put to in rebuilding the city. Therefore, though the Volscan war, which was of great importance in itself, but rendered much more so by the revolt of the Latines and Hernici, furnished a specious pretext for creating an absolute magistrate; yet, in reality, Manlius's designs compelled the senate to chuse a dictator. A. Cornelius Cossus was the person pitched upon, and he appointed T. Quinctius Capitolinus general of the horse.

XII. Though the dictator plainly saw, that he had greater difficulties to encounter at home than abroad; yet, whether it was that the war required dispatch, or he was of opinion, that victory and a triumph would add weight to his dictatorship, he made the levies, and set out for the Pomptin dominions, where he had received news that the Volsci had been appointed to rendezvous. I make no question, but, besides the disgust, which the reader must conceive at the relation of the continual wars with the Volsci in so many former books, he will also wonder (which indeed was matter of surprise to me; when I perused the writers, who lived near those ages, and related these facts) how the Æqui and Volsci, notwithstanding so many defeats, could be in a condition to set new armies on foot. But, seeing ancient historians are silent, and give no account of this circumstance, what more can be expected of me but to give my own opinion, which every reader is at liberty to approve or reject, as he thinks proper. It is probable then, either that during the intervals of war; as is now the practice in making levies among the Romans, they trained up one race of their youth under another, whom they used as recruits in the wars which they so often renewed; or that the levies were not always made out of the same particular states, though the war was carried on always in name of the nation in general: or that those places, which, setting aside a small number of soldiers yet kept up in them, would be a perfect desert were they not inhabited by Roman slaves, produced at that time an innumerable multitude of freemen. It is certain however, and all writers agree, that the army of the Volsci was at this time very numerous notwithstanding they had lately been much disabled under the conduct and command of Camillus. Besides they had been joined by the Latines and Hernici, some Circenses, and the inhabitants of Velitræ. The Roman dictator encamped that day, and the next, after offering sacrifices to conciliate the favour of the gods, and consulting the auspices, came out, and having with great



cheerfulness joined his troops, who were, according to orders, by day-break arming, in order to be ready against the signal of battle should be given, he addressed them thus, "Fellow-soldiers, said he, the victory is ours, if the gods or their interpreters know any thing of future events. Therefore, as men full of certain hope, and such as are to encounter an enemy no ways their match, let us lay down our javelins at our feet, and take only our swords in our hands. Neither would I have you advance beyond the ground whereon you are formed, but stand firm in your posts, and receive their charge without stirring. When they have spent their darts in vain, and advance in disorder against you, then let your swords glitter in their eyes, let each of you reflect, that there are gods who protect the Romans, gods, who have sent us on to battle with good omens. As for you, Quintcius, restrain the ardour of the cavalry, carefully watching till the beginning of the attack, and when you see the armies closely engaged, while the enemy is frightened from another quarter, do you with your horse strike them with fresh terror, fall in amongst them and break their ranks." Both horse and foot punctually executed their orders, and the general did not disappoint the expectations of his troops, nor did fortune fail him.

XIII. For the multitude of the enemy, confiding solely in their numbers, and considering both armies only as they appeared to view, begun the attack precipitately, and quitted the field in the same manner. At the first onset they shewed some ardour by their shouts, and throwing their javelins; but when they came to close engagement, they could not bear the force of the Roman swords, or the countenances of their enemy shining through the ardour of their courage. Their front-line soon gave way, which struck terror into their body of reserve, and the Roman cavalry charged and added to their fright. Upon which their lines were broken in many places, and their whole army put into such confusion, that their battalions seemed to fluctuate to and fro; but at last, when they saw the front line cut down, and each expected that he would be the next exposed to slaughter, the flight became general. The Romans still pressed after them, and, as long as they fled in a body, and kept their arms, the infantry pursued; but, as soon as it was observed that they threw away their weapons, and fled dispersed through the fields, troops of horse were dispatched, with strict orders, not to spend time in killing single persons, till the main body of the enemy should escape: it would be sufficient to ride round them, and fright them with their darts and javelins to retard their flight, till the foot should come up, and cut them

to pieces. Night only put an end to the flight and pursuit. The same day the Volscan camp was rifled, and the whole spoil, excepting the freemen, given to the soldiers. The greatest part of the prisoners were Latines and Hernici. Nor were they all of the common sort, or such as might be thought to serve for pay; but several young noblemen were found among them, which was a plain proof that aid had been granted to the Volsci by public authority. Many of the Circenses and inhabitants of Velitræ were known. All of them were sent to Rome, where, being examined before the principal senators, they in plain terms discovered to them the revolt of their states, as they had before done to the dictator.

XIV. The dictator still kept his army encamped, not questioning but the senate would order him to make war upon those nations. But a more urgent affair obliged them to send for him to Rome, where the sedition grew more violent every day, and on account of its author, became more formidable than ordinary tumults had been before. For now, not only Manlius's harangues, but even his actions, however popular and specious in appearance, had such a natural tendency to raise tumults and seditions, that his design in them became very obvious. When he saw a centurion, who had performed many gallant exploits in war, condemned in an action of debt, and upon an execution of judgment carrying to prison, he ran with his train into the middle of the forum, and laid hold of him; and, after having exclaimed against the pride of the senators, the cruelty of those who lent money upon interest, and deplored the miseries of the people, and the distress of the prisoner, whose bravery merited a better fate, he added, "In vain have I, with this right hand, preserved the citadel and capitol, if I can bear to see my fellow-citizen, and brave companion in war, dragged to chains and bondage, as if he had been taken prisoner by the victorious Gauls." And with that, in sight of the whole people, he paid the creditor the debt (*a*), and, with the accustomed formalities, set the prisoner at liberty (*b*). The centurion conjured the gods to "requite Manlius, his deliverer and the father of the Roman people." Upon which he was immediately admitted into his benefactor's riotous train, where he increased the tumult: for, shewing the scars of the wounds he had received in the war at Veii, in that against the Gauls, and others that succeeded them, he said, "by military services, and rebuilding his house which was destroyed, he had been plunged into debt; and though he had often paid the principal sum, yet as the interest always rose above the capital, he

could never get out of the usurer's clutches. To Manlius he was indebted for the light he enjoyed, the liberty of being in the forum, and of beholding the faces of his fellow-citizens: he had done him all the kind offices of a parent, and therefore to him he devoted his person, and the remainder of his life and strength; to him he transferred all the right he had in his country, his household gods, private or public." The people, animated by these protestations, became entirely devoted to Manlius, who to this added another action, that tended more effectually to embroil every thing. He caused an estate, which lay in the territory of Veii, and was the chief part of his patrimony, to be sold by auction. "This I do, Romans, said he, that I may suffer none of you, while I have any patrimony left, to be condemned for debt, and, upon execution, your persons carried to prison." This last act of bounty so transported the multitude, that they seemed ready to support the assertor of their liberty in any enterprise, right or wrong. Besides this, he made speeches at home, full of invectives against the patricians; in which, without regarding whether he spoke truth or not, he said, that "the senators had secreted the gold intended for the payment of the Gauls, and were not contented with being in possession of the public lands, but would even appropriate the public money to their own use: and if this hidden treasure could be discovered, it would be a fund for discharging all the debts of the people." As it must, indeed, have been a heinous provocation, that a sum of gold should be raised by general contribution to redeem their country out of the hands of the Gauls, and yet that very gold, when recovered from the enemy, become a prey to a few private men: therefore the people, once flattered with the hopes of such a discovery, never ceased enquiring, where a theft of that importance lay concealed. As he amused and put them off with promises of discovering it at a proper time, they laid aside all care of other business, and employed their whole thoughts about that particular affair; and it plainly appeared, that if his assertion should be confirmed upon enquiry, he would gain great credit; but if it should be found false, he would fall into the greatest disgrace.

XV. Things were in this uncertain state, when the dictator, who had been recalled from the army, arrived in the city. Next day he assembled the senate, and having sufficiently sounded the inclinations of the members of that body, commanded them not to stir from his side. So attended by this venerable company, he repaired to his tribunal, which was erected in the comitium, and then sent a messenger for Manlius. Being thus summoned by

the dictator's express command, as soon as he had given his partisans the signal, that the critical minute of conflict approached, he presented himself before the tribunal, attended by a numerous train. On the one side was to be seen the senate, on the other the people, each attentively watching the orders of their leader, like two armies drawn up in order of battle. Silence being proclaimed, the dictator spoke to Manlius to this effect:—"Would to God I and the Roman senators agreed as well with the commons in all other matters, as I am confident, we shall in what concerns you in particular, and in regard to that affair, of which I am going to interrogate you. I understand you have made the citizens hope, that without breach of credit their debts may be paid out of the treasures collected for the Gauls, which the principal patricians have secreted. In this affair I am so far from throwing any obstacle in your way, that on the contrary, I conjure you Manlius, to ease the commons of Rome from usury, and make a discovery of those who lie in wait for the public money, and deprive them of their booty. If you do not, either because you are an accomplice in the robbery, or have given a false information, I will command you to be led to prison, and no longer suffer the multitude to be abused by trusting in your vain promises." To this Manlius replied, "That he had not been deceived, when he conjectured that a dictator had been created not against the Volsci, who are enemies as often as the senators think it will serve their purpose, nor against the Latines and Hernici, whom they drive into hostilities by forged accusations, but against him and the Roman people. For now they had laid aside all thoughts of the war, which was only a pretended one, and fallen upon him: now the dictator had openly declared he would support the usurers against the Roman people; now they sought an opportunity to accuse and utterly ruin him on account of the affection the people bore him. What, said he, A. Cornelius, and you conscript fathers, are you offended at the numerous train, which attends me? Why do not each of you, in your private capacity, endeavour to deprive me of it by your beneficence, by interceding with creditors, by delivering your fellow-citizens from bonds, and hindering them from being led to prison when they are condemned and have executions against their persons: by relieving the necessities of others out of the superfluities of your own fortunes? But why do I go about to persuade you to bestow some of your own effects? Take another course; only deduct from the principal what has been received in interest; and then my train will make no greater show than that of any other

senator. But perhaps you will ask me, why I am the only one so careful of the people's interest? Truly, I can make no other answer, than I would if I were asked, why I alone preserved the capitol and citadel: at that time I gave all in general the aid I was able, and now I will do the same to individuals. As to the money intended for the Gauls, your question alone makes that matter difficult, which is easy enough in its own nature; for why do you ask what you best know yourselves? Why do you not lay down what is in your bosom, rather than order it to be forcibly shaken out; unless there be some fraud in the case? The more you insist upon my detecting your legerdemain, the more I fear you will impose upon the most quick-sighted. For which reason I should not be compelled to discover the thefts you have committed, but you yourselves ought to be obliged to bring them to light."

XVI. Then the dictator, bidding him leave off these idle evasions, assured him, that he would oblige him either to go through with making a real discovery, or confess his wickedness in accusing the senate of a fictitious crime, and exposing them to the hatred of the people by a mere surmise of an imaginary theft. But he refused to speak at the pleasure of his enemies, upon which the dictator ordered him to be carried to prison. When he was seized by the officer, "Jupiter," said he, "thou greatest and best of beings, Juno queen of the gods, Minerva, and all ye other gods and goddesses, that inhabit the capitol, do you suffer your champion and defender to be thus abused by his enemies? Shall this right hand, which drove the Gauls from your temples, be loaded with manacles and chains?" No person present could endure to hear or see the indignities that were done him. But as this state, which of all others was most submissive to legal authority, had laid itself under some restraints, which it would in no case break through, neither the tribunes of the people, nor the people themselves, dared give a look or mutter a word which might tend to call in question the unlimited power of the dictator. Yet when once Manlius was in prison, it is very well known, that the greatest part of the commons put on mourning, many men let the hair of their heads and beards grow, and in crowds surrounded the prison door, making heavy lamentations for his fate. In the mean time the dictator triumphed over the Volsci, by which he derived upon himself more hatred than glory. For it was publicly talked, "that he had gained that honour in the city, not abroad in war, that he triumphed over a citizen, not over enemies, and wanted nothing to gratify his pride, but to

see Manlius led before his chariot." And matters were very near coming to a rupture, when to soothe the minds of the people, the senate, all on a sudden, without any solicitation, but wholly of their own accord, gave an instance of their bounty, in passing a vote for sending a colony of two thousand Romans to Sutrium, and assigned each of them two acres and a half of land. But, as this largess was both moderate, and confined to a few, it was considered as a reward for betraying Manlius, and the remedy raised the sedition to a greater height. For the partisans of Manlius appeared in a more sordid dress, and with greater sorrow in their countenances. And as all dread of the dictatorship was removed by Censur's abdication after the triumph, they gave a loose to their tongues and spoke their minds with freedom.

XVII. Then every place rung with speeches upbraiding the people, "with raising their protectors to a precipice, and then basely deserting them in the critical moment of danger. Witness Sp. Cassius, when he solicited the distribution of lands; witness Sp. Mælius, who relieved them from famine at his own cost; they were both ruined in this manner. And thus was M. Manlius, while he endeavoured to enlarge and set at liberty part of the community, overwhelmed and plunged in debt, betrayed into the hands of his enemies. Thus the people as it were fattened their favourites, to have their throats cut. Was a man of consular dignity to be punished in this manner for not answering as a dictator pleased? Suppose, he had before advanced a falsehood, and therefore could not answer readily at that time; was ever a slave punished with chains for telling a lie? And was that night, which was like to have been the last, nay proved eternal night to the Roman name, quite forgot? Was there no idea left of the army of the Gauls climbing up the Tarpeian rock? Nor of Manlius himself, as he was seen in arms, beameared with sweat and blood, and rescuing as it were Jupiter himself out of the hands of the enemy? Are you of opinion, that a few measures of meal were a sufficient reward for the preserver of your native country? And can you suffer him, whom you have almost deified, and at least equalled with Jupiter by giving him the surname of Capitellinus, to lie bound in prison, nay, a dungeon, and live only at the discretion of an executioner? Was he alone able to succour you all, and are all of you together incapable to help him?" The multitude now did not so much as leave the place in the night, and threatened to break open the jail; when the senate by decree granted them what they were upon the point of extorting by force, and released Manlius. Yet they did not by this step put

an end to the sedition, but on the contrary placed a leader at the head of it. About the same time the Latines and Hernici, who together with the inhabitants of the colonies of Circeii and Velitrae, had come to Rome to clear themselves from the accusation of being concerned in the Volscan war, and to demand that their prisoners should be delivered up to them, to be punished by their own laws, had an unfavourable answer given them. But the two colonies had one yet more severe; for as they, who were Roman citizens, had formed the criminal design of attacking their native country, they were not only denied their prisoners, but also, which was a circumstance wherein the senate dealt more favourably with the allies, were expressly commanded, to quit the city with all expedition, and remove themselves from the sight of the Roman people, lest the right of ambassadors, established for strangers not citizens, should not be able to protect their persons.

XVIII. Manlius's sedition being renewed, in the end of the year the comitia were held, and elected military tribunes with consular power. They were all patricians, viz. Ser. Cornelius Maluginensis a third, P. Valerius Potitus a second, M. Furius Camillus a fifth, Ser. Sulpicius Rufus, C. Papirius Crassus, and T. Quinctius Cincinnatus, all a second time. In the beginning of their administration, they enjoyed peace from all their neighbours, very seasonably for the patricians and people; for the people, as they were not diverted by levies, expected that, having so great a man at their head, they should be able to deliver themselves out of the hands of the usurers, and the patricians had no foreign alarms to hinder them from applying a remedy to their domestic maladies. So that both parties being animated more than ordinary, a violent contest was fast approaching; and Manlius, more full of presumption and rage than ever, held assemblies of the commons in his own house, night and day, and concerted measures with the principal men of their party, how to bring about a revolution in the state. The late affront he had received extremely exasperated his spirit, little accustomed to disgrace; and his confidence was increased as the dictator had not dared to proceed against him, as Quinctius Cincinnatus had done against Sp. Maelius, and as he had not only abdicated his office, on purpose to avoid the odium of imprisoning him, but even the senate were not able to stand out against the menaces of the populace. Puffed up and exasperated by these reflections, he incensed the minds of the people, who were already enflamed of themselves. "How long," said he, "will you continue strangers to your own

strength, of which nature has not suffered even the beasts themselves to be ignorant? Count at least your own numbers, and what adversaries you have. Were you to engage one to one, I am confident notwithstanding, that you would fight with greater vigour for your liberty than they for their tyranny. But as many clients as there are of you attending each of your patrons, so many will you be to each of your enemies. Only give the signal for war, and you will obtain peace: let them see you prepared to use force, and they will soon restore your rights. All jointly must make some bold push, or each individual must suffer the utmost oppression. How long will you have all your eyes fixed upon me? I shall never disappoint any of you. But it is yours to take care that I be not deprived of the means of protecting you. Whenever your enemies thought fit, I, your protector, was reduced to the lowest ebb of fortune; and all of you merely looked on, while I, who had saved each of you from prison, was led to prison myself. What have I to hope for, if my enemies should proceed further against me? Must I expect the fate of Cæsius and Mælius? You do well to testify your abhorrence of the thought. Yes! the gods I hope will avert these misfortunes, but they will not descend from heaven on my account. They must inspire you with resolution to preserve me from danger, as they inspired me to deliver you in time of war from barbarous enemies, and in peace from oppressive citizens. Notwithstanding you are such a powerful people, have you so little courage as to be always satisfied with some support against the oppression of your adversaries, and never think of entering into a dispute with the patricians, which will not leave you subject to their authority in the end. This pusillanimity is not natural to you, but you are become their vassals through mere habit. For why have you such ambition in contending with foreigners that you think you have a right to command them; and yet are of opinion you ought to be slaves to the patricians? The reason is, that you are accustomed to fight with them for dominion; whereas against these domestic oppressors, you have been wont to make some feeble efforts to assert your liberty, rather than exert yourself vigorously in its defence. Yet after all, whatever kind of leaders you have had, whatever sort of men you have shewed yourselves, you have always hitherto obtained what you demanded, either by main strength or good fortune. It is now high time to undertake greater matters. Only make trial of your own good fortune, and of me, whose zeal for your interest you have already, I hope, had happy experience of. You will find less difficulty in placing a



master over the heads of the patricians, than you found in getting persons to oppose their tyranny. We must down with dictatorships and consulships, in order to raise the heads of the commons of Rome. Exert yourselves, therefore, and put a stop to all rigorous prosecutions for debts. I declare myself the patron of the Roman people, a name, which my zeal and attachment to your interest have stamped upon me. If you will honour me with any more distinguishing title, or power, you will thereby more effectually qualify me to obtain your desires." From this time it is said a plot was set on foot for setting up a king; but there is no distinct account of the persons with whom the project was concerted, or to what length the scheme was brought.

XIX. But, on the other hand, the senate was deliberating on the proper measures to be taken in relation to the people's secretly meeting in a private person's house, which, by chance, was situated in the citadel; and on the great danger that threatened their liberty. A great number of them loudly remonstrated; "that the affair required a Servilius Abala, who would not, by ordering him to be imprisoned, provoke an enemy of the state, but terminate this civil war by dispatching one citizen." Yet they came to a resolution expressed in more moderate terms, but in effect, the very same, that "the magistrates should take care that the republic suffer no detriment by the mischievous plots of Manlius." Upon this the military tribunes with consular power, and the tribunes of the people (for even the latter, because they perceived that their own power would expire at the same time with the public liberty, had submitted to the authority of the senators) consulted all together what was proper to be done. But when none of them could think of an expedient but violence and assassination, and even that appeared to be very dangerous; M. Metellius and Q. Publius, tribunes of the people, said, "Why should we set the patricians and commons at variance, in a cause which ought to unite all the members of the state against one pernicious citizen? Why do we attack him and the people together, when it is much easier to attack him by means of the people themselves, that he may fall and be crushed by his own weight? We are resolved to sit him to his trial. Nothing is more odious to a free people than regal government: and as soon as the multitude shall see that your quarrel is not with them, that instead of protectors they are become judges; that the accusers are plebeians, and the party accused a patrician, and that the indictment is laid for aspiring to the crown, their love of liberty will get the better of every other passion."

XX. This resolution being unanimously approved, Manlius was cited against a certain day to take his trial. As soon as this was done, the commons at first were enraged, especially when they saw the criminal dressed in a mourning habit, not only attended by none of the senators, but not so much as by a kinsman, relation, no nor his brothers A. and T. Manlii. They observed, that to that day it had ever been customary in cases of such danger, for the nearest relations of the party accused, to change their habit; and even when Appius Claudius (*a*) was imprisoned, C. Claudius his declared enemy, and the whole Claudian family, appeared in mourning. From all which they concluded, that this favourite of the people was to be ruined by a general conspiracy of the patricians, because he was the first who had left their party, to join that of the commons. When the day of trial was come, I do not find, in any author, what his accusers charged him with in the indictment, directly tending to prove his aspiring to be king, besides the meetings of the people at his house, certain seditious words, his largess, and the forged information of the gold. Yet I make no doubt but, things of great moment were laid to his charge, seeing the people's delaying to condemn him was not owing to the justice of his cause, but the circumstances of the place (*b*). But that men may know, not only how disagreeable, but even detestable, the cursed thirst of sovereignty renders the great and worthy actions and amiable qualities of men, it seems worthy of observation, that he is said to have produced near four hundred persons, for the payment of whose debts he had advanced money without interest, and thereby prevented the sale of their effects, and the imprisonment of their persons. And he not only mentioned the honours he had gained in war, but also produced to view the spoils of thirty enemies he had slain with his own hand, forty presents bestowed on him by generals he had served under, and among the rest were two beautiful mural (*c*) and eight civic (*d*) crowns. Besides, he presented on the spot several citizens, whose lives he had saved in battle; among the rest, C. Servilius, who had been appointed general of the horse in his absence; and after having described all his warlike achievements, as they well deserved, in a pompous oration, every way equal to the greatness of the subject, he uncovered his breast, which was full of scars of the wounds he had received in war, and looking often to the capitol, implored Jupiter and the other gods to aid him in his distress, beseeching them "to inspire the Roman people with the same sentiments, in his present perilous circumstances, wherewith they had inspired him to defend

the capitol for the preservation of the Roman people;" conjuring each and all of his judges, "to look towards the capitol and citadel, and turn their faces to the immortal gods, when they passed sentence upon him." When the people were called to vote by centuries, and the criminal extending his arms towards the capitol, had turned from beseeching men to implore help from the gods, the tribunes plainly perceived, that unless they could veil the memorial of that glorious exploit from the eyes of the people, the great service he had done his country would make such an impression upon their minds, that they would never find the indictment, were it ever so just. Therefore the trial was deferred to another day; and the people were summoned to assemble in the Petiline grove (*e*), without the gate Flumentalis (*f*), from whence they had no view of the capitol. There the party accused was found guilty, and, with inflexible hearts, they pronounced a rigorous sentence, which even struck the judges with horror. Some writers say, that duumvirs were appointed to judge this treason. Be this as it will, it is certain he was condemned, and the tribunes saw him thrown headlong down the Tarpeian cliff, and the same spot which had formerly been the theatre of his glory, served also to preserve the memory of his punishment and death. Two marks of infamy were stamped on his memory after death, the one by the state; for whereas he lived in the capitol, on the spot where the temple and mint-house of *Moneta* (*g*) now stand, a motion was made in the assembly of the people, that no patrician should thenceforth dwell in the capitol or citadel: another by his own relations; for the Manlian family came to a resolution, that none of their posterity should afterwards bear the prenomens of *Marcus*. Such was the end of a man, who, had he not been born in a free state, would have made a shining figure in history. But the people soon after, when they had no more danger to apprehend from him, and considered only his good qualities, began to lament the loss of him; and a pestilence, which followed soon after, without any visible cause for so great a calamity, was imagined to have been chiefly owing to the punishment of *Manlius*. It was publicly talked, "that the capitol had been polluted with the blood of its deliverer, and the gods were offended that the person who had rescued their temples out of the hands of enemies, should have been put to death, as it were in their immediate presence."

XXI. This plague occasioned a scarcity of corn, and the report of these two calamities gave rise to several wars in the following year, when *L. Valerius* a fourth, *A. Manlius*, *Ser. Sulpi-*

cus, L. Lucretius, L. Æmilius, all a third time, and M. Trebonius, were military tribunes with consular power. For besides the Volsci, who were by a kind of destiny appointed to keep the Roman arms in perpetual exercise, the colonies of Circeii (*a*) and Velitræ (*b*), who had long formed a design to revolt, and Latium, which was suspected, the Lanuvians (*c*), who had been hitherto always steady in their fidelity, all of a sudden took arms against Rome. The senate, supposing this to have happened in contempt, because the revolt of the colony of Velitræ, their countrymen, had so long escaped with impunity, decreed, that as soon as possible a bill should be laid before the people for declaring war against them; and the more readily to engage the commons to agree to it, they appointed five commissioners to divide the Pomptin lands, and three to settle a colony at Nepesæ. Upon this a bill for a declaration of war was presented to the people, and, in spite of the opposition made by the plebeian tribunes, the tribes unanimously agreed to it. All this year was spent in making preparations, for the plague prevented their taking the field. These slow proceedings gave the colonies time to avert the anger of the senate; and the greatest part of them were inclined to send a deputation to Rome, humbly to sue for pardon. But the public interest, as commonly happens, was exposed to danger by the private views of a few; for the authors of the defection, fearing lest they, who were only to blame, should be delivered up victims to the resentment of the Romans, diverted the rest from all measures tending to procure peace. Nor did these only prevent the sending this deputation by the measures they took in the senate, but likewise stirred up a great part of their people to march forth and plunder the Roman territories. And this new injury entirely banished all hopes of peace. This year likewise they first received intelligence of the revolt of the Prænestines. And when the Tusculans, Gabinians, and inhabitants of Lavinium complained of their having made an incursion into their dominions, they received so cold an answer from the senate, as made it evident that venerable body gave little credit to the accusation they laid against the Prænestines, because they wished it might not prove true.

XXII. The following year Sp. and L. Papirii, two of the new military tribunes with consular power, led the legions against Velitræ, leaving their four colleagues, Ser. Cornelius Maluginensis, Q. Servilius, Ser. Sulpicius, and L. Æmilius, all a fourth time tribunes, for the defence of the city, and to watch the motions of the Etrurians, because they had strong suspicions of that people.

The Romans fought at Velitræ against the colony there, where the Prænestine auxiliaries were more numerous than the colony itself, and gained a complete victory. And the nearness of the city to the scene of action was the occasion of the enemy's flying sooner than otherwise they would have done, and proved their only refuge after their retreat. The military tribunes did not storm the town, because they thought it doubtful whether they were able to take it, and because they were not for carrying hostilities so far, as utterly to exterminate that colony. Letters were dispatched to the senate at Rome with the news of the victory, but their contents were more severe upon the Prænestines than the people of Velitræ. Upon which by a decree of the senate with the concurrence of the people war was declared against the Prænestines, who the following year, in conjunction with the Volsci, took by force the Roman colony at Satricum after a vigorous defence, and exercised the most shocking cruelties upon the prisoners. The Romans taking this in very ill part, chose M. Furius Camillus a sixth time military tribune (*a*), and gave him for colleagues A. and L. Posthumii Regillenses, and L. Furius with L. Lucretius and M. Fabius Ambustus. M. Furius had the Volscan war allotted to him by an extraordinary commission, and it fell by lot to L. Furius to be his colleague in it, which did not so much contribute to advance the interest of the commonwealth, as to lay a foundation for the highest praises to Camillus; not only from the state in general on account of his repairing what Lucius by his rashness had ruined, but also from Lucius himself, in that from his misbehaviour Camillus sought only to gain his affection, and not to raise his own reputation. M. Furius was now very far advanced in years, and when he was on the point of taking the usual oath in the comitia to excuse him on account of his infirm age, the whole people with one consent opposed him; for notwithstanding his years, he still retained a brisk and lively spirit, had all his senses entire, and though he did not cumber himself much with the fatigue of civil affairs, yet he was roused by the thoughts of war. Having raised four legions, each consisting of four thousand men, and appointed them to rendezvous next day at the Esquiline gate, he set out for Satricum. There those who had taken the colony, nothing dismayed, and confiding in their numbers, wherein they were somewhat superior, waited his coming. When they perceived the Romans were near at hand, they immediately marched out in order of battle, resolving without delay to risk all in a decisive action, in order, by this means, to frustrate the stratagems that unparalleled

general, on whom the Romans mainly relied, might use to supply his inequality in point of numbers.

XXIII. The Roman troops and their other general expressed an equal ardour for engaging, and nothing hindered their coming to blows that instant, but the wise conduct and remonstrances of Camillus alone, who by gaining time sought some favourable opportunity of improving his strength by some well formed stratagem. This made the enemy more urgent; nor did they now content themselves with forming their troops in the space before their camp, but marched out into the middle of the plain, and with colours flying came with confidence up to the Roman lines and insulted the troops. The Roman soldiers could not endure this presumption, but much less the other military tribune, L. Furius, who besides the heat of youth and disposition, was puffed up with the confidence he observed in the multitude, which commonly takes courage on the smallest and most uncertain grounds. Moreover, finding the soldiers full of fire, he of his own accord inflamed them more, by depreciating his colleague's authority on account of his age, the only thing he could alledge against him. He incessantly represented "that young men only were fit for war, and that courage flourished or decayed with the body. That Camillus was of a most active warrior become a mere lingerer, and he who as soon as he came up to camps and towns used to attack immediately and carry them at the first assault, now sat still and trifled away time within intrenchments. What could he hope to gain by this conduct? Would it increase his own troops, or diminish those of his enemy? What favourable opportunity, what proper time or place could he expect to discover for drawing the enemy into an ambuscade? The old man's counsels were mere cold and ice. Camillus had already lived long enough, and acquired sufficient glory. To what purpose then was it to suffer the forces of the republic, which ought to be immortal, to languish in sympathy with the decayed body of one man." By these discourses he drew the whole army after him, and as they demanded from all quarters to be led on to action, he said to his colleague, "M. Furius, it is impossible longer to restrain the ardour of our soldiers; and the enemy, whose courage we have heightened by our delay, insult us with a confidence not to be borne. Do you, but a single person, comply with the desires of all, and hasten your conquest in battle, by suffering yourself to be overcome in council." To which Camillus answered, "In all the wars in which he had commanded alone to that very day, he was confident, neither he nor the Roman people had cause to be dissatisfied either with

his conduct or success. But now indeed he was sensible he had a colleague invested with equal power and authority, and who excelled him in the vigour of age. As to what concerned the army, he had ever been accustomed to command, not to be commanded; however he could not hinder his colleague from exercising a power he was vested with. Let him therefore with the help of the gods do what he thought most for the benefit of the state. For himself he only begged this favour, that he might not, in regard to his age, be posted in the front of the battle; and he would endeavour not to be wanting in the discharge of what might be expected at the hands of an aged commander. In the mean time he made it his earnest request to the gods, that no misfortune might give occasion to conclude his counsel the more commendable." But the troops were deaf to his salutary advice, as the gods were to his prayers. Then Lucius, who had advised engaging, drew up the first lines in order of battle, and Camillus, having formed a strong body of reserve, posted a strong guard before the camp. Then he took his station on an eminence, from whence he might be spectator of the issue of a battle fought by another's advice.

XXIV. At the very first charge the enemy gave way, not through fear but policy. Behind them, between their army and camp, was a rising ground of easy ascent, and as they had troops to spare, they had left in their camp some strong battalions, regularly formed and under arms, with orders to sally out, while both armies were closely engaged, and the enemy should approach their intrenchments. The Roman legions warmly pursued the enemy as soon as they began to retire, and being thereby drawn into this disadvantageous ground, gave them a fair opportunity for making this sally. By this means the conquerors in their turn were put into consternation, and this together with the enemy's body of reserve, who pushed them back towards the valley, obliged the Roman legions to give way. The fresh troops of the Volsci, who had sallied out from their camp, pursued their advantage, while those who had made a feint of flying renewed their charge; and the Roman army no more retreated in good order, but forgetting their late forwardness and ancient renown, every where turned their backs, flying with precipitation to their camp. Upon this Camillus, being set on horseback by his attendants, quickly threw himself with his body of reserve in their way, and called out to them, "Is this, soldiers, the battle you demanded with such importunity? What man, what god, can you blame? Your rashness and presumption led you on to

battle, and through cowardice you leave it. You have followed another general, now follow Camillus, and conquer as you used to do when I led you on. Why look you towards your camp and intrenchments? None of you shall enter them till you bring victory along with you." Shame first stopped their precipitate flight; but then seeing their ensigns turned round, their army wheel and face the enemy, and their general, who was not only illustrious by his many triumphs, but also venerable for his age, advancing in the front, where was the greatest fatigue and danger, they all blamed themselves, and encouraged one another with chearful shouts, which rung through the whole army. Nor was the other tribune wanting in his duty. For being sent, while his colleague was rallying the foot, to the cavalry, he did not employ reproaches, because his share in the miscarriage had much impaired his authority, but using humble entreaties instead of commands, conjured them one by one, and in general, "by a brave behaviour, to retrieve his honour, to whom alone was owing the bad success of the day. Notwithstanding, says he, the opposition and direct prohibition of my colleague, I chose rather to follow the rash measures of the multitude, than his single prudent advice. Whatever shall be the event of this day, Camillus's reputation will be safe. But for my part, if the battle is not renewed, I shall, which is a most pitiful case, share the misfortune with the rest of the army, but the disgrace will be my own." It was thought most advisable that as the infantry had fallen into disorder, they should quit their horses, and attack the enemy on foot. In the execution of this design, they were equally distinguished by their exemplary courage and lustre of their arms, for they advanced to support the legions wherever they saw them hardest pressed; and both officers and private soldiers exerted their utmost, and fought most bravely. The issue of this attack was a plain demonstration what wonders valour can effect. For the Volsci, who a little before had made a feint of flying, now really fled in great precipitation. Great numbers of them were slain in the battle, and after it in the pursuit. However in their camp, which was taken at the first attack, the number of the prisoners exceeded that of the slain.

XXV. In taking account of the prisoners, some Tusculans were discovered, who were set apart by themselves, and brought before the tribunes. At their examination they confessed that they had served in that war by order of their state. Camillus, uneasy at the apprehensions of a war so near home, said, "he would immediately in person carry the prisoners to Rome, that the



senate might not be ignorant of the Tusculans having fallen off from their former alliance, desiring his colleague, in the mean time, if he pleased, to take the sole command of the army." The fortune of that day had taught Lucius not to prefer his own opinion to better advice: neither did he or any one else in the army imagine Camillus would quietly put up with his miscarriage, whereby the public was exposed to such imminent danger; and it was the general talk, both in the army and at Rome, that, as affairs had been carried on with various fortune among the Volsci, the defeat and rout were entirely owing to L. Furius, but the honour of the victory to be ascribed to M. Furius alone. The prisoners being introduced into the senate, the fathers decreed to make war upon the Tusculans, and commissioned Camillus to carry it on, but he requested leave to chuse an assistant to execute it with him; and when he was permitted to name any one of his colleagues that he pleased, he, contrary to every body's expectation, chose L. Furius. By this modesty he both lessened his colleague's disgrace, and acquired to himself great glory. But there was no war with the Tusculans; for that people, by a fixed resolution to continue in peace, secured themselves against the power of the Romans, which they were not able to do by taking the field. When the Romans entered their dominions, the inhabitants did not abandon the places nearest the roads by which the troops marched, nor did they desist from cultivating their lands: the gates of their city were set wide open, and great numbers of people, dressed in their robes as in time of peace, came out to meet the generals; and provisions were brought in great civility from town and country to supply the troops in their camp. Camillus encamped before the gates, and being desirous to know, whether the same tranquillity, of which they had made shew in the country, prevailed within the walls, entered the town, and saw the houses and shops wide open, every thing exposed to sale as usual, all the tradesmen busied about their work, and the schools resounding with the noise of children at their books, nay the streets crowded with women and boys going backward and forward amongst the other people, wherever their occasions called them, without so much as the least sign of fear, or even of surprise. And though he narrowly surveyed every place, to see if he could discover some sign of warlike preparations, he was so far from finding any, that he could not observe the least thing put out of the way, or brought into place on account of the present situation of affairs; but all in so profound and settled peace, as one could scarce imagine they had ever heard of a war,

XXVI. Overcome, therefore, by the enemy's patience, he ordered the senate to be assembled. "Tusculans," said he, "you are the only people, who have fallen on proper arms and true forces to defend yourselves against the resentment of the Romans. Go and apply to the senate at Rome. The fathers will judge whether your former fault merits punishment more than your present repentance deserves pardon. I shall not anticipate a favour which you ought only to receive from the state. You have leave from me to apply to them in a suppliant manner; the senate will give such ear to your suit as they shall see meet." As soon as the Tusculans arrived at Rome, and the senate of a people, who had a little before been the faithful allies of the Romans, were observed standing disconsolate in the porch of the senate-house, the fathers, moved at the sight, ordered them to be admitted rather like friends than enemies. Then the Tusculan dictator addressed them in the following speech: "Conscript Fathers, we, against whom you have declared and made war, came out to meet your generals and legions, armed and accoutred in the very same manner as you now saw us standing in the porch of the senate-house. Such was our garb, such was the garb of our people, and thus shall we always be equipped, unless when we take arms either at your command, or to fight in your defence. We return thanks to your generals and troops for giving more credit to what they saw than to false reports, and for not committing hostilities where they found none in arms to oppose them. We humbly beg that peace at your hands, which we have strictly observed towards you; and earnestly pray you would carry the war where you can find an enemy. If we are by suffering to experience the strength of your arms, we will experience it unarmed. Such is our firm purpose; and may the immortal gods make it as fortunate to us, as it proceeds from a sincere attachment to you. As to the accusations which induced you to declare war against us, although it would be to no purpose to confute by words what has been already proved by facts, yet supposing them true, we are persuaded we may safely acknowledge them, after giving such evident proofs of a sincere repentance. It signifies little what transgressions be committed against you, so long as you deserve such satisfaction as ours." This was the substance of the speech delivered by the Tusculans, and in consequence they, for the present, obtained peace, and, soon after, the freedom of Rome, and the legions were marched back from Tusculum.

XXVII. Camillus having signalized his conduct and valour in the Volscan war, his good fortune in the expedition against the Tusculans, and in both his unparalleled modesty and patience towards his colleague, quitted his magistracy with great reputation. For the succeeding year L. and P. Valerii, Lucius a fifth time, Publius, and C. Sergius, both a third, L. Menenius a second, Sp. Papirius, Ser. Cornelius Maluginensis, were chosen military tribunes. Censors were wanted this year, especially on account of the doubtful reports concerning debts. For the tribunes of the people on the one hand aggravated the odious exactions of the usurers, while they on the other endeavoured to lessen them, it being their interest to have it believed, that want of an honest principle rather than ability hindered the people from paying their just debts. C. Sulpicius Camerinus, and Sp. Posthumius Regillensis, were chosen censors. And they having begun an enquiry into this matter, it was interrupted by the death of Posthumius, because it was reckoned ominous to choose a colleague to a surviving censor, in room of one who died (*a*). Therefore Sulpicius abdicated his office, but some essential formality was omitted in the election of the next censors, and they did not enter upon the exercise of their office, from which circumstances it was judged contrary to the will of the gods that there should be censors for that year, and they had a scruple of conscience against proceeding to a third election. But the tribunes of the people exclaimed against this as an intolerable artifice. "The senators," said they, "avoided exhibiting the censors' books, which would certainly discover the true value of every man's estate, because they were unwilling that the real amount of the debts should be seen, which would plainly shew that one part of the state was devoured by the other; and in the mean time the bankrupt commons were constantly exposed to one enemy or other. Pretexts were found out for raising war in every place without distinction: the legions were led from Antium to Satricum, from Satricum to Velitræ, and from thence to Tusculum. And now the Latines, Hernici and Prænestines were threatened with a war rather out of hatred to their fellow citizens than to their enemies, in order to wear out the people by being always in arms, and not suffer them even to breathe in the city, give them leisure to think of their liberty, or appear in public assembly, where they might sometimes hear their tribunes harangue about the means of procuring them some relief from the persecutions of their creditors, and putting an end to their other grievances. If the Roman people had resolution to call to mind the liberty enjoyed by their ances-

tors, they would not allow an execution in judgment to pass against any citizen for money borrowed; nor any levies to be made, till the amount of the debt was ascertained by a strict scrutiny, and some proper measures taken for lessening the extent of it, that each man might know what was properly his own and what he owed to others; whether his person remained at his own disposal or was at the mercy of his creditor to be imprisoned when he pleased." Allured by this seditious bait, the people immediately raised a mutiny. For many had executions against their persons, and upon a rumour of a war from Præneste the senate had voted the raising of new legions, both which the commons in a body, assisted by their tribunes, began to obstruct. For neither would the tribunes suffer the persons of the debtors to be siezed, nor would the youth give in their names at the muster; nay for the present the fathers were less solicitous about the prosecution for debts in behalf of the creditors, than about completing the levies; for they had received intelligence, that the enemy had marched from Præneste, and encamped in the Sabine territories. In the mean time that news rather encouraged than deterred the tribunes, who prosecuted the point they had entered upon with greater vigour; and nothing else could appease the sedition in the city, but the approach of the war to its very walls.

XXVIII. For when the Prænestines had intelligence that at Rome no army was levied, no general appointed, but the senate and commons bent on the ruin of each other, their leaders laid hold of the favourable opportunity, marched their army with all expedition, and laying waste all the country before them, advanced with colours flying as far as the Colline gate. This occasioned a great consternation in the city. The alarm was given, and the Romans repaired in great haste to their ramparts and gates. At length turning their thoughts from sedition to war, they chose T. Quinctius Cincinnatus dictator, who appointed A. Sempronius Atratinus general of the horse. As soon as the accounts of this were spread abroad, so great was the dread of that officer, that the enemy retreated from the walls, and the youth upon the proclamation enrolled themselves without the least opposition. While armies were raising at Rome, the enemy in the mean time pitched their camp at the river Allia, from whence they pillaged the country, boasting that they had seized a post fatal to the Romans. They said, "they would be seized with a like panic, and fly in the same shameful manner they did in the war with the Gauls. For if the Romans dreaded a day declared unlucky, and remarkable for bearing the name of that place, how

much more formidable would Allia itself be, as it was a lasting monument of their signal defeat, than the day which took its denomination from it (*a*). There they would fancy they saw and heard the dreadful forms and frightful shouts of the Gauls." Thus the Latines employed their thoughts in wild chimeras, and vain fancies, and founded all their hopes in the imaginary influence of the place. On the contrary, the Romans were well assured, "that in whatever place their enemies were, they were to engage the same men, whom they had defeated at the lake Regillus, and kept in servile subjection for an hundred years. The place, memorable for their overthrow, would rather excite them to efface the remembrance of that disgrace, than inspire them with vain fears, that the bad fortune attending any place could deprive them of victory. Nay, if the very Gauls should come in their way, they would so fight with them in that very ground, as they did at Rome when they recovered their native country, and the day after at Gabii; when they behaved so gallantly that none of the enemy, who had entered the walls of Rome, carried home the news either of their victory or defeat."

XXIX. In this disposition of mind were both armies when they arrived at Allia. The Roman dictator, when he saw the enemy ready formed, and eager for battle, thus addressed his general of horse. "A. Sempronius, do you not see how these men have posted themselves at Allia, vainly relying on the imaginary fortune of the place? And may the immortal gods give them no greater security or assistance! But do you, trusting solely in your arms and valour, order your men to put spurs to their horses, and briskly charge their main body; when they are once frightened and put into disorder, I will advance with the legions, and fall upon them. Assist us, O ye gods, who were witnesses to our treaty, and take due vengeance upon them for their dishonouring you, and deceiving us, when they solemnly called upon your divinities to attest their faith." The Prænestines were neither able to sustain the force of the horse nor foot, but were broke at the first shout and charge. And as their battalions every where gave way, they soon turned their backs and fled. Nay, their fear carried them beyond their camp, nor did they stop their precipitate flight, till they were in sight of Prænestine. There all such as had been scattered in the rout met, and took possession of a post which they fortified in great hurry, apprehending that if they retreated to the city, their villages would immediately be set on fire, their lands plundered, and then their town besieged. But when the victorious Romans, after

rifling the enemy's camp at Allia, advanced to attack them, they abandoned this post likewise, and took refuge in Præneste, thinking themselves scarce safe within their walls. There were eight other towns under the dominion of the Prænestines, which were all attacked one after another, and being easily subdued, the army was then led to Velitræ, and when it was also taken by assault, the dictator approached Præneste itself; which, without waiting an attack, immediately capitulated. T. Quinctius, after having won one battle, taken two camps, and nine cities by assault, and obliged Præneste to surrender, returned to Rome, and carried the statue of Jupiter Imperator, which he brought from Præneste, into the capitol in triumph. It was solemnly set up between the shrines of Jupiter and Minerva; and as a monument of his exploits, the following inscription was engraved upon its pedestal:—"By the help of Jupiter and all the other gods, T. Quinctius took nine cities." Upon this he abdicated the dictatorship, on the twentieth day after he had been vested with it.

XXX. Then were the comitia held for the election of military tribunes with consular power, who were equally chosen out of the patricians and plebeians. The three patricians elected were P. and C. Manlii, and L. Julius, and the commoners C. Sextilius, M. Albinus, and L. Antistius. The province of the Volsci was by an extraordinary commission assigned to the Manlii, because more nobly descended than their plebeian colleagues, and because they enjoyed a greater share of public favour than Julius. But they themselves, and the fathers, who gave them this preference, soon had cause to repent it. For without having reconnoitred the country beforehand, they sent out some cohorts to forage, and upon a false alarm of their being intercepted, marched with all expedition to their rescue, without so much as securing the author of the alarm, who was a Latine, and had deceived them under the disguise of a Roman. By this means they fell precipitately into an ambuscade. Whilst, relying solely on the valour of the troops, they made a brave resistance, notwithstanding their disadvantageous situation, and many were slain on both sides, the enemy in the mean time, from another quarter, attacked the Roman camp, which stood in the plain. Thus in both places they suffered extremely through the rashness and want of experience in the generals: and that any part of the Roman army remained after the slaughter in the ambush, and the sack of their camp, was owing to the brave defence made by the troops themselves, not to their commanders. When the news of this disaster reached Rome, the first step taken there was to nominate a dictator; but

when accounts arrived that the Volsci were quiet, and it appeared that that people knew not how to improve this favourable opportunity and victory they had gained, both the armies and generals were recalled from that country. And thus they enjoyed as much peace from that quarter as could be expected from the Volsci. Only in the latter end of the year, there was some stir, which was occasioned by means of the Prænestines, who had drawn the whole Latine states to join them. The same year, upon a complaint from Setia (*a*), of a want of inhabitants, new planters were sent thither. Notwithstanding the bad success of the war, it was some comfort that peace reigned at home, and this was owing to the favour and reverence the people shewed to the plebeian military tribunes.

XXXI. But divisions rose to a prodigious height in the very beginning of the next year, during the administration of Sp. Furius, Q. Servilius a second time, C. Licinius, P. Clælius, M. Horatius, and L. Geganius, military tribunes with consular power. The foundation and cause of the sedition were the debts, in order to make enquiry into which, Sp. Servilius Priscus, and Q. Clælius Siculus had been created censors, but a war intervened to prevent them from proceeding in that affair: for an express arrived with news, which was afterwards confirmed by the flight of the peasants, "that the Volscan legions had entered the Roman territories, and ravaged them far and wide. But in this consternation, so far were their civil contests from being restrained by foreign terror, that the tribunes pursued their point with greater violence, and exerted their power to obstruct the levies, till they obliged the senators to agree, "that no man should pay taxes, or be molested on account of debt, during the campaign." The people being content with this indulgence, the levies were made without delay. When the new legions were completed, they were ordered to be divided, and two armies to be sent into the Volscan dominions. So Sp. Furius and M. Horatius marched to the right along the sea coast to Antium, Q. Servilius and L. Geganius to the left by the mountains to Ecetra. Neither of them met with the enemy; they therefore fell to plundering the country. This ravaging was not like one of those precipitate, thievish incursions made by the Volsci, who relied on the discord of their enemies, and were afraid of their valour: but being a regular army, they avenged themselves in a regular manner; and to make their resentment fall the heavier, staid a long time in the country. For the Volsci, fearing lest, during their ravages, an army should march from Rome against them,

had made incursions only into the frontiers of the Roman territories; whereas the Romans tarried a great while in the enemy's country, on purpose to draw them to a battle. Having therefore burnt all the farm-houses every where, and some villages, and leaving neither a fruit-tree, nor the least hopes of harvest behind them, they drove off all the booty of men and cattle that could be found without the walls, and thus both armies marched back to Rome.

XXXII. The debtors enjoyed some ease during the short interval employed in this expedition; but so soon as the enemy ceased to give them disturbance, they were afresh prosecuted by their creditors. And so far were they from having any hope of being relieved from the old debts, that they were obliged to contract new, in order to pay a tax imposed by the censors for building a wall of square stone. This the people were obliged to submit to, because their tribunes had no levies to obstruct. The influence of the great men forced them to elect all patricians for military tribunes with consular power, viz. L. Æmilius, P. Valerius a fourth time, C. Veturius, Ser. Sulpicius, L. and C. Quinctii Cincinnati. By the same influence it was carried without any opposition, that three armies should be raised against the Latines and Volsci, who had encamped in conjunction at Satricum. None of the youth refused to take the military oath. One army was appointed for the defence of the city; the second to be sent upon any sudden expedition, if any motion should be made by any other enemy; and the third, which was by far the strongest, P. Valerius and L. Æmilius led to Satricum. Here finding the enemy formed in order of battle on an even ground, they immediately attacked them; but though victory inclined to the Roman side, before it openly declared in their favour, a violent rain, attended with a hurricane, parted the armies. Next day the battle was renewed, and the Latine legions in particular, who, by being long in alliance with the Romans, had learned the art of war from them, maintained the fight for a considerable time with equal bravery and success. At last the Roman cavalry charged, and broke the enemy's ranks, and the infantry advanced against them wherever they were in disorder. In proportion as the Roman army advanced, that of the enemy gave way, and when once the victory inclined to their side, nothing was able to sustain their charge. The enemy was routed, and as they fled not to their camp, but to the city of Satricum, which was two miles distant from the field of battle, the Roman horse made great slaughter of them in the pursuit, and their camp was taken and rifled. The next



night after the battle they marched with all the disorder of a flight from Satricum to Antium, and though the Roman army followed almost on their heels, their fear carried them faster away than the enemy, however enraged, could pursue. By this means, therefore, they had got within the walls of Antium before the Roman army could either fall on their rear, or oblige them to halt. After this, some days were spent in laying waste their country, because the Romans were not sufficiently provided with warlike engines to attack the place, nor they strong enough to venture a battle.

XXXIII. Then arose some difference between the Latines and Antiates: for the Antiates, quite spent and tired out with the disasters of a long war, wherein they had been involved from their infancy to old age, were inclined to capitulate. But as the Latines had enjoyed a long succession of peace, and revolted but lately, their spirits were yet fresh, and therefore more forward than ever to prosecute the war. When both were satisfied, that they might prosecute their designs without any impediment from one another, they laid aside their strife. The Latines separated from their allies, who they thought were courting a dishonourable peace, and resolved to defend themselves; and the Antiates, having got rid of these troublesome counsellors, who were averse to all salutary measures, surrendered their town and country to the Romans. But the Latines shewed their rage and cruel resentment to that degree, that because they could neither injure the Romans by war, nor keep the Volsci in arms, they reduced to ashes the city of Satricum, which was their first place of refuge after their defeat. Nor did they leave any edifice standing in that city, but indiscriminately set all on fire, both sacred and profane, except a temple of the goddess Matuta (*a*). It was neither from a sense of religion, nor an awful veneration of the gods, that they spared it, but because they were terrified by a voice from the temple, pronouncing direful menaces, if they did not remove their impious fires from the habitations of the gods. In this barbarous frenzy they marched to Tusculum, because that state had not only deserted the common diets of the Latines, and entered into league with the Romans, but even had accepted the freedom of Rome. As they came all on a sudden, while the gates were wide open, the whole town, except the citadel was surprised. The townsmen, with their wives and children, took refuge in the citadel, from whence they sent messengers to Rome to inform the senate of their misfortune. Upon this the Romans, with a zeal and expedition worthy their exemplary fidelity, sent an

army thither under the command of L. Quinctius and Serv. Sulpicius, the military tribunes. On their arrival there they found the gates shut, and the Latines, both besieging and besieged, resolved on the one hand to defend the town, and on the other to gain the citadel; so that at the same time they were afraid themselves, and struck terror into others. But the arrival of the Roman troops caused a great alteration in the minds of both parties: for it converted the fear of the Tusculans into the greatest joy, while the Latines, who before thought themselves almost sure of taking the citadel, because they were already masters of the town, had now small hopes of their own safety. The Tusculans in the citadel set up a great shout, which was answered by a greater one from the Roman army. The Latines were sore pressed on both sides; and could neither sustain the attacks of the Tusculans who came down upon them from the fort, nor beat off the Romans, who advanced to the very foot of the ramparts, and attacked the gates. The legions first mounted upon the walls by the help of their scaling ladders, and then broke the bars of the gates; and the enemy, being thus hemmed in between one enemy behind and another before, and unable either to make resistance, or find a way to escape, were all cut off to a man. Thus Tusculum was retaken from the enemy, and the army marched back to Rome.

XXXIV. But as their success in war had procured them peace abroad, so much the more did the oppression of the nobility and the miseries of the people daily increase within the city; for the measures that were taken to oblige the latter to pay their debts, deprived them of the ability of making any payment at all. Therefore, as they had nothing wherewithal to satisfy their creditors, they were adjudged and sentenced to ignominious and corporeal punishments, which served in lieu of payment. By this means not only the meanest, but even the most considerable plebeians were so dispirited, that no men of activity and experience among them had the courage to offer themselves candidates for the military tribuneship in competition with the patricians, a privilege they had so strenuously laboured to obtain; nor so much as to sue for, or consent to bear the plebeian magistracies. So the senators now seemed for ever to have recovered to themselves the possession of that honourable office, which the commons had only usurped for a few years. But that the other party might not think themselves too happy in this advantage, a trifling incident occurred, which, as often happens, gave rise to an enterprize of much greater importance. M. Fa-

bis Ambustus, a patrician of great influence and credit, not only among those of his own order, but even among the commons, because the latter sort never looked upon him as one who despised men of their mean rank, had two daughters married, the elder to Ser. Sulpicius, and the younger to C. Licinius Stolo, a plebeian, but at the same time every way a well accomplished man; and Fabius's not disdaining this latter alliance, gained him great favour with the commons. It happened accidentally, that as the two sisters passed their time in conversation, as usual, at the house of the military tribune Sulpicius, his lictor, at the tribune's return home from the forum, thundered at the door with his staff, according to custom. As this noise, to which the younger Fabia was not accustomed, put her into a fright, the elder laughed, and seemed surprised at her ignorance. But, as a very small matter is sufficient to disturb the quiet of a woman's mind, this derisive laugh stung her to the quick. I likewise imagine, the crowd of those who paid their court to her sister, and came to ask her commands, might make her elder sister's marriage appear fortunate, and from a wrong way of thinking, whereby every person repines at the least inequality of condition between them and their relations, create in her a disgust for her own. Her father happened to observe her in some disorder, occasioned by her late discontent, and asked her, whether all was well? At first she imputed her uneasiness to some other cause, thinking it would seem inconsistent with the affection she owed her sister, and the dutiful regard due to a husband, to own either that she envied the one, or was discontented with the other. But at last, by soothing questions, he drew from her a confession, "that the real cause of her pain was her being married unsuitably to her quality, and into a family incapable of honours and high stations." Upon this, Ambustus, to comfort his daughter, bade her be of good cheer; for it should not be long before she saw the same honours in her own house which she had seen in her sister's. And from this time he begun to concert measures with his son-in-law for gratifying his daughter, and admitted into the secret L. Sextius, a young man of great spirit, and who wanted nothing but a noble birth to qualify him for any preferment.

XXXV. The oppression of the plebeians on account of their debts, from which terrible grievance they could expect no relief, but by raising some of their own order to the supreme authority, seemed to present them with a fair opportunity of attempting some alteration in the state. Therefore they thought it expedient to apply with the utmost vigour to the prosecution of

their design, considering that the plebeians had already, by strenuously urging and supporting their claims, attained to such a height, that from thence they might, by one vigorous push more, arrive at the highest, and put themselves upon an equality with the patricians in respect of honours, as they were not inferior to them in merit. For the present they thought it proper, that Licinius and Sextius should be elected tribunes of the people, in which office they might open themselves a way to other dignities. As soon as they were elected, they proposed several laws, all tending to restrain the overgrown power of the patricians, and to the benefit of the plebeians. The first regarded the debts, and enacted, that whatever sums had been paid for excessive usury should be deducted from the capital, and the remainder should be discharged at three equal payments, in the space of three years. The second regarded the extent of land estates, and prohibited any Roman citizen from possessing more than five hundred acres of land. A third enacted the suppression of the office of military tribune, and the restoration of consuls, and that one of them should always be a plebeian. All the three regarded things of a weighty import, and which could not be obtained without the most violent struggle. Thus all the principal objects of men's passionate desires, lands, riches and honours, being at stake, the senators were greatly alarmed; and not being able, either in their public or private meetings, to find any other expedient than what they had formerly used in like contests, I mean the intercession of some of the tribunes themselves, they prevailed with their colleagues to oppose the bills brought in by these two. In consequence of this these tribunes, who had been gained by the other party, appeared amidst the crowd of patricians, and when they saw the tribes summoned by Licinius and Sextius to give their suffrages, would neither suffer these bills to be read, nor any other to be passed by the voices of the people. Several assemblies having been in vain called, and the laws looked upon as entirely rejected, Sextius said, "Very well, since you are so much pleased with the prevailing power of INTERCESSION, we shall defend the commons with the very same weapons. Come then, patricians, assemble the comitia for the election of military tribunes. I shall take care that the word VETO, I FORBID, which our colleagues now chaunt in so harmonious concert, yield no such pleasing music to you." Nor did their menaces prove without effect: for no comitia were held except those for the election of ædiles, and plebeian tribunes. Licinius and Sextius, being re-elected tribunes of the people, would not suffer any curule magistrates to

be chosen. In this anarchy did the city continue for five years successively, the people always re-electing these two tribunes, and they suppressing the comitia for choosing military tribunes.

XXXVI. It luckily happened that the Romans were at war with no state but the colony at Velitræ, who, waxing wanton with long quiet and ease, and seeing no Roman army on foot, not only made several incursions upon the Roman lands, but attacked and besieged the city of Tusculum. And when the Tusculans, who were old allies, and lately admitted citizens of Rome, begged assistance, not only the patricians, but also the people agreed to grant it, though shame was their principal motive. Therefore the two tribunes of the people waving their opposition, the comitia was held by an interrex, and L. Furius, A. Manlius, Ser. Sulpicius, Ser. Cornelius, P. and C. Valerii, were elected military tribunes. But they found not the people so tractable at making the levies as they had been in the comitia. However with great difficulty they raised an army, and marched to Tusculum, from whence they not only drove the enemy, but obliged them to take refuge within their own walls. And now Velitræ was besieged by a much greater force than Tusculum had been; but yet it could not be taken by those who begun the siege: for before that time new military tribunes were created; viz. Q. Servilius, C. Vesturius a second time, A. and M. Corneli, Q. Quinctius and M. Fabius. Nor did these tribunes perform any memorable exploit before Velitræ. More dangerous matters were now upon the anvil at home. For besides that Licinius and Sextius, who had proposed laws, were chosen the eighth time tribunes of the people, Fabius, the military tribune and father-in-law of Stolo, openly declared himself in support of those laws, whereof he had been the first deviser. And whereas at first eight of the college of tribunes had opposed these laws, they had only five to oppose them at present, and these, as commonly happens to deserters of their party, like men amazed and bereft of their senses, had nothing to urge in support of their intercession, but only other men's words, and what they had been taught beforehand at home: that a great part of the people were absent at the siege of Velitræ: that the comitia ought to be delayed till the arrival of the army, in order that all the people might have access to give their suffrages in what was for their benefit." Sextius and Licinius; with part of their colleagues, and Fabius one of the military tribunes, having by so many years' experience attained a perfect skill in those arts requisite to manage the people, wearied out the principal senators, who came to the assembly, by teasing

interrogatories upon each particular proposed to the people. "Had they confidence," said they, "to demand liberty for themselves to possess more than five hundred acres of land, when the commons had but two a-piece assigned them? Could each of them hold the property of near three hundred citizens, while a plebeian's pittance of land was scarce sufficient to contain a convenient house and burying-place. Would they have the commons crushed by usury, and given up to bonds and punishment, if they did not pay the interest before the principal? Would they have crowds of them every day dragged out of the forum to be delivered to their unrelenting creditors; and the houses of the nobility filled with prisoners, and that there should be a private jail wherever a patrician dwelt?"

XXXVII. Having thus exclaimed against such unheard of, and lamentable proceedings, and stirred up greater indignation in their auditors, who were afraid of the like usage in their own case, than they discovered in speaking of them, they added, that the "patricians would never set bounds to their possessing of lands, and cruelly murdering the plebeians by usury, if the people did not chuse one of the consuls out of their own body, to be the guardian of their liberty. For the nobility despised the tribunes of the people, who now destroyed their own power by their intercession. It was impossible justice and equity should take place, while they were in possession of the supreme magistracy, and the people had no other defence but the intercession of their tribunes; and, till the sovereign magistracies were enjoyed in common by both orders, the people would never have an equal share in the administration of the commonwealth. Nor ought any one to think it sufficient, that plebeians were capable of being elected in the comitia held for chusing consuls; for unless there was a positive act passed, that one of the consuls should be chosen out of the body of the people, no commoner would ever be raised to that dignity. Had they forgot, that though a decree had passed for the creation of military tribunes rather than consuls, in order to advance plebeians to the highest honours, yet in the space of forty-four years (*a*) no commoner had been created military tribune. How could they believe that those who were wont to secure eight places to themselves at the election of military tribunes, would of their own accord share the honour with the people, where there were only two places to be supplied? or that they would suffer a way to be opened to the consulate, who had so long kept the military tribuneship barricadoed from all access? Nay, that must be obtained by a positive law, which

could not be had by interest in the comitia; and one of the consul's places, without controversy reserved for some plebeian; for should it be left in question, the party of greatest interest would always carry it. Nor could they now object what they formerly used confidentially to alledge, that there were none among the commons fit to bear curule magistracies. For, pray has the commonwealth been managed with greater indiscretion and negligence since the tribunate of P. Licinius Calvus, the first plebeian tribune, than it was in those years, when none but patricians were military tribunes? On the contrary, some patricians have been condemned for mal-administration, after the expiration of their office, but not one plebeian. And a few years ago the questors began to be elected out of the body of the people, in like manner as the military tribunes had been; nor were the Roman people ever dissatisfied with any one of them. The plebeians still wanted the consulate. It would prove a sure prop and bulwark to their liberty. Had they once gained this point, the Roman people might with justice say, that tyrants were effectually expelled the city, and look on their liberty as settled on a firm basis. For from that period the people would share in every thing which distinguished the patricians, command, honours, military glory, and nobility; all which they would enjoy, and transmit with still greater lustre to their posterity." When the tribunes saw that speeches of this sort were much relished, they brought in a new bill, that instead of duumvirs, decemvirs should be created, to inspect the sacred rites, and that of those, half should be chosen out of the body of the people, and half out of the order of patricians: and then they adjourned the comitia for passing all these bills till the arrival of the army, which besieged Velitræ.

XXXVIII. The year expired before the legions returned from Velitræ; and by this means the affair of the laws continued in suspense, and was put off till the new military tribunes entered into their office. For the commons re-elected the two who had proposed the laws to be tribunes of the people. The military tribunes were T. Quinctius, Ser. Cornelius, Ser. Sulpicius, Sp. Servilius, L. Papirius, and L. Veturius. In the very beginning of the year, the contest concerning the laws was revived with the greatest violence; and when the tribes were called to vote, and the two tribunes, who had proposed the new laws, could not be stopped by the opposition of their colleagues, the patricians, in the most terrible alarm, had recourse to their last refuge, the most absolute office and greatest man in the state. In consequence of this they resolved to create a dictator, and M. Furius Camillus

was the person pitched upon, who appointed L. Æmilius general of the horse. The authors of the law likewise armed themselves with extraordinary courage against so powerful an opposition, and resolved steadily to support the cause of the people; and having ordered the commons to be assembled, called out the tribes to vote. When the dictator, surrounded by a numerous train of patricians, and breathing nothing but wrath and menaces, had seated himself on his tribunal, the dispute began as usual between the tribunes of the people who supported, and those who opposed the laws. The former had as much the advantage with regard to the prepossession and inclinations of the people, as the latter had the better in point of right. But when the first tribes were giving their suffrages for the motion in the usual form, "be it as you have proposed," Camillus interposed, and said, "Romans, since you are ruled by the caprice, not the lawful authority, of your tribunes, and as you some time ago got their intercession ratified by an unnatural separation from the body of the state, so you now endeavour, by the same violent measures, to render it of no effect, I will for your sakes in particular, as well as the general good, employ my dictatorial power to maintain it, and exert my absolute authority in defence of your greatest privilege, which yourselves endeavour to overthrow. Therefore if C. Licinius and L. Sextius will yield to the negative of their colleagues, I will not interpose the authority of a patrician office in your assemblies. But if they attempt, in opposition to this intercession, to impose laws on their country as if it was a conquered state, I will not suffer the tribunician power to work its own ruin." When the tribunes of the people, notwithstanding all these big words, pursued their point with an air of contempt, and no less steadiness than before, Camillus in rage sent his lictors to clear the forum of the people; and farther threatened, that, "if they continued to enact the laws, he would oblige all the young men to take the military oath, and immediately march the army out of the city." This put the commons in a great fright, but rather inflamed than diminished the courage of their ringleaders in the dispute. But before victory declared in favour of either party, Camillus quitted his magistracy; whether it was for some defect in the form of his nomination, according to some historians, or because the tribunes of the people brought in a bill, which the commons passed into a law, "that in case M. Furius Camillus should exercise any part of the dictatorial office, he should be fined five hundred asses of brass." (*a*) But I am more inclined to believe that he was rather intimidated by unfavourable auspices than by



so strange and unprecedented a bill, and that both from the temper of the man, and also because P. Manlius was immediately declared dictator in his room. For what good purpose could it serve to nominate him to decide a controversy, in which M. Furius had been foiled before? Besides, the said Camillus was dictator the following year, and certainly he would not for shame have resumed an office, wherein he had been overruled the preceding year. Let us consider farther, that at the same time that it is said this bill was brought in for imposing a fine on him, he had it in his power either to have prevented an act, whereby he saw himself restricted in the exercise of his office, or he could not have prevented the passing of those very laws, which occasioned the preferring this bill against him. And finally, even to this day, whatever violent struggles have been between the tribunes and consuls, the dictatorial power has always been superior to both."

XXXIX. During the interval between the abdication of Camillus from his former dictatorship, and the entering of Manlius upon his new one, the tribunes held an assembly of the people, as in a kind of interregnum, wherein evidently appeared which of the laws were most acceptable to the people and which to the tribunes. For the people approved of the bills relating to usury and the distribution of the lands, but rejected that for electing one of the consuls from the plebeian order. And they had been thus finally determined, had not the tribunes declared, "that they proposed all the three to be approved or rejected by the people at one vote." After this P. Manlius the dictator cast the balance in favour of the people by nominating a plebeian, C. Licinius, who had formerly been military tribune, to be general of the horse. I find it recorded, that this step exceedingly offended the patricians; and that the dictator was wont to excuse himself to them on account of his near relation to Licinius; urging at the same time, "that the honour of general of the horse was not so great as that of military tribune." But when the day was appointed for assembling the comitia for the election of tribunes of the people, Licinius and Sextius acted with so much finesse, that by pretending they would no longer continue in that honourable station of tribunes, they inspired the people with an excessive zeal to confer on them an office which they effectually solicited by the artful manner in which they pretended to decline it. For they said, "We have struggled nine years, as in a pitched battle, against the patricians, with the greatest danger to ourselves, and without any advantage to the public. The laws we have drawn up, and the whole force of the tribunician power grow antiquated

with us. Our laws were first of all opposed by our colleagues; next by sending away the youth to the war with Velitræ; and last of all the thunder of dictatorial power has been levied against us. Now we have neither colleagues, war, nor dictator to oppose us; for even our present dictator hath given an omen of success in endeavouring to obtain a plebeian consul, by his appointing a commoner to be general of his horse. Now the commons alone injure themselves, and obstruct their own benefit. For they had it in their power, if they had pleased, to rid the city and forum of oppressive creditors, and to take the lands from the hands of unjust possessors. But when would they shew a real and grateful sense of these benefits, if at the very time they were to obtain beneficial laws, they cut off the persons who proposed them from all hopes of being advanced to offices of state? It was inconsistent with the modesty of the Roman people to require themselves to be delivered from the oppression of usury, and put in possession of lands injuriously monopolized by the rich and powerful, while they left those old tribunes, by whose labour they obtained these benefits, not only without honours, but even without the least hope of attaining them. Therefore let them first resolve with themselves what course they would take, and then openly declare their pleasure in the tribunician comitia. If they were willing to pass the laws they had proposed conjointly they might then chuse the same tribunes of the people again, who would certainly carry through the bills that they had brought. But if they were resolved only to pass what laws were necessary for the relief of each man in a private capacity, it would be needless to continue them in an office exposed to so much envy; and they would neither accept the tribuneship, nor should the people have the benefit of the laws they had proposed."

XL. While the rest of the senators were speechless with indignation and amazement at this audacious speech of the tribunes, Ap. Claud. Crassus, grandson of the decemvir, is said to have stepped forth more out of rage and resentment, than with any hope of dissuading the people from complying with the request of their tribunes. The speech he made was almost to this purpose: "Romans, it will be no strange or unexpected thing, if I should now hear the usual objection made, by seditious tribunes, to our family; that the Claudian family, from its first original, has been more zealously attached to nothing in the state than to advancing the dignity of the nobility, as they have always been violent enemies to the interest of the people. The first part of the charge I do not deny, and therefore will not go about to disprove it. For

our family, ever since its first admission into the state and number of the patricians, hath always strenuously endeavoured to have it in our power to say with justice, that we have rather augmented than diminished the glory of that order, into which it was your pleasure to incorporate us. And Romans, as to the last part, I dare maintain, in my own and the behalf of my ancestors, that unless one will reckon what is done for the good of the commonwealth in general destructive of the interests of the people, as if they were members of a different community, we have neither in our private capacity, nor during our magistracies, to our knowledge, acted any thing to the disadvantage of the commons; nor can you, consistent with truth, instance a single word or action of ours contrary to your real interest, though several of them have been contrary to your desires. But suppose I was not of the Claudian family, nor patrician extraction, and only a private citizen, conscious of having been born of free parents, and living in a free state, could I avoid taking notice that L. Sextius and C. Licinius, your perpetual tribunes forsooth, have for nine years, during which they have exercised a despotic power over you, presumed to deny you the freedom of suffrage, both in your comitia for elections and enacting laws? Upon certain terms, say they, you shall elect us tribunes a tenth time! Is not this plainly saying, we so much disdain the offices, for which others make great interest, that we will not accept them without a considerable reward? But pray, what is this reward, in consideration whereof we shall have you always tribunes of the people? Their answer is, that you accept jointly all our bills, whether they please you or not, whether they be useful or pernicious to you! I beseech you, tribunes, who were as absolute as ever the Tarquins were, suppose me, a single citizen, to call out from the middle of the assembly, Allow us, with your good leave, to choose which of these bills we think for our benefit, and to reject the rest? No, say they, we shall grant no such leave. Shall you pass those relating to usury and the partition of lands, which concern you all in general, and yet not suffer L. Sextius and C. Licinius to be elected consuls, because you cannot endure to see such a prodigy in the city of Rome, your stomach rises at it, and you cannot bear the thought? You must lay your account with accepting all together, or we will propose none. One may as well set victuals and poison before a person ready to famish, and order him either to abstain from the real nourishment, or otherwise mix the poisonous with the wholesome food. But had this been a free state, would not many have called out to you ere this time, Begone with

your tribuneships and laws, if you will not propose such bills as will be beneficial for the people to accept; will nobody else, do you think, propose them? If any patrician, if any one of the Claudian family, which they look on as still more odious, should make such a speech, Either accept all, or we will propose none, which of you Romans would bear it? Will you never learn to regard things rather than persons? But at all times give a favourable ear to whatever comes from the mouths of tribunes, and a deaf one to what any of our order shall say? At best, their language is very uncivil and rude. Let us now see what kind of bill this is, which they are angry you should reject. Romans, it exactly resembles their speeches. The purport of our bill, say they, is, that you may not be allowed to chuse such consuls as you please. For what else has he in view who brings in a bill, expressly ordering you to chuse one of the consuls out of the commons, and leaves you no liberty to elect two patricians. Suppose you had at this time wars as formidable as that with Hetruria, when Porsena was master of Janiculum, or our late one with the Gauls, when every thing, except the citadel and capitol, was in the possession of enemies, and that this L. Sextius should stand candidate for the consulate, together with our renowned M. Furius or any other patrician, could you bear to think Sextius should infallibly succeed, and Camillus run the hazard of being rejected? Is this to bestow honours on both orders indifferently, to allow two plebeians, but not two patricians, to be elected consuls; to impose a necessity of chusing a commoner one of the consuls, and leave you at liberty to pass over the patricians in the choice of both? What sort of fellowship, what kind of partnership is this? Are you not content, when you come in for a share of what you enjoyed no portion of before, unless, in suing for a part, you grasp the whole? We are afraid, say the tribunes, if you are left at liberty to chuse two patricians, you may never elect a plebeian. Is not this in effect saying, since, when left to yourselves, you will not make an unworthy choice, we will impose on you the necessity of chusing persons disagreeable to you? What will be the consequence, but that, if one plebeian shall appear candidate with two patricians, he may say, he lies under no obligation to the people, because he was not elected by their suffrages, but by virtue of a positive law.

XLI. "Thus they seek means of extorting, not suing for honourable offices; they want to obtain the highest employments, without being in the least indebted to you for the lowest; and chuse rather to be advanced to honours by watching favourable

opportunities, than by virtue and merit. Is there any one who disdains to have his character enquired into, or his merit canvassed? who thinks it reasonable, that he alone should be sure of attaining honours, among a crowd of competitors who contend for them? who will not acquiesce in what you shall determine? and make your suffrages, instead of voluntary, necessary, and free, constrained? I speak not of Licinius and Sextius, the years of whose perpetual power you mark in the capitol, as those of the kings were wont to be. Who is there at this day in the state of so mean condition as not to have, by means of this law, easier access to the consulate, than we or our posterity? For you will not have it in your power sometimes to chuse us, even when you have an inclination to do it, but will be under a necessity of electing them, whether you will or not. But I have said enough of the indignity offered us by this law, and truly every man ought to stand up in defence of his honour; but what can I say in relation to the abuse of our religious rites and auspices, which is an immediate contempt of and offence against the immortal gods? Who knows not that this city was founded by auspices, that all things relating to peace or war, civil or military, are transacted under their direction? In whose hands are they, according to the ancient usages of our ancestors? Certainly in those of the fathers: for the auspices are never consulted in order to the election of a plebeian magistrate. Yea, so peculiar are they to us, that the people cannot without them elect such patrician magistrates as are chosen by them, but we may duly nominate an interrex, wherein the people have no voice; and we have auspices in private life, which they have not even in the election of their magistrates. He, therefore, in effect takes away the auspices from the state, who, by creating plebeian consuls, takes them away from the patricians, who only have a just title to them. Let them now deride our religious rites: for, say they, what signifies it whether the chickens eat, whether they come slowly out of their coops, or whether the birds sing inauspiciously? These are mere trifles. Yet by not despising such trifling observances, our ancestors have raised this state to her present height of greatness. And now we profane all these ceremonies, as if we stood in no need of the favour of the gods. Therefore let our high priests, augurs, and kings of the sacrifices, be chosen out of the dregs of the people. Let us place the sacerdotal bonnet on the head of any man, no matter whose, so he be a man; let us entrust the care of the sacred bucklers, awful sanctuaries, the gods and all that belong to them, with those to whom it would be impious to give such a charge.

Let us leave off taking the auspices, in order to the passing laws, or electing magistrates. Nay, let us deprive the senate of their right of giving a sanction to the acts of the comitia by centuries. Let Sextius and Licinius, as Romulus and Tatius formerly did, reign absolute in Rome, for having remitted debts not their own, and given grants of land they had no right to. So great is the pleasure of preying upon other men's estates? Nor do you consider, that by one law you will convert many fields into deserts, by ejecting landlords from their possessions, and by the other, ruin public credit, and with it all civil society. In regard, therefore, to all these weighty considerations, I think you ought to reject these bills: and I pray the gods to prosper whatever you do."

XLII. All the effect Appius's speech had was, that the passing of these bills into laws was deferred for some time. Sextius and Licinius were continued tribunes of the people a tenth time, and obtained a law for electing ten keepers of the sacred books, half of them plebeians, and half patricians, which seemed to them a step towards attaining the consulate. Contented with this victory, the commons yielded to the patricians, and without making at the time any mention of the consulate, agreed to the election of military tribunes. The persons chosen were A. and M. Corneli a second, M. Geganius, P. Manlius, L. Veturius, and P. Valerius a sixth time. At this time, the Roman affairs abroad were all in profound tranquillity, except the siege of Velitræ, the issue whereof was more slow than doubtful, sudden advice was brought of a war with the Gauls, which obliged the state to raise M. Furius to the dictatorship a fifth time. He nominated T. Quinctius Pennus general of horse. Claudius (*a*) says, that the Romans gave the Gauls battle this year near the river Anio, and that there was a famous combat then fought upon the bridge, wherein T. Manlius, in sight of both armies, slew a Gaul, who had challenged him, and after he was dead, stripped him of his gold chain. But the testimony of a greater number of historians induces me to believe, that this exploit was performed no less than ten years later. But in this year the Gauls and Romans, under the command of their dictator M. Furius, came to an engagement in the Alban territories; and the latter, without great difficulty, gained a complete victory, although the remembrance of their former defeat (*b*) had made them greatly afraid of the Gauls. Many of the enemy were slain in the battle, and many at the taking of their camp. The remainder, being dispersed, especially those who took the road to Apulia, saved themselves from the enemy, both by the great distance they fled to, and also by

scattering up and down the country through fear and consternation. The honour of a triumph was granted to the dictator, by the general consent of the senators and people. But he had scarcely given the finishing blow to this war, when he was welcomed home by a sedition still more dangerous. For, after many hard struggles, the dictator and senate were worsted, and forced to accept the bills proposed by the tribunes; and notwithstanding the opposition of the nobility, the assembly was held for the election of consuls, wherein L. Sextius, the first commoner raised to that dignity, was chosen consul. But their contests did not end here. For, whereas the fathers refused to confirm the election, the matter came to that pass, that the commoners were on the point of making a secession, and uttered nothing but dreadful menaces of a civil war. However, by means of the dictator, the discords were appeased upon these conditions, that the nobility should yield to the commons the point of having power to chuse one of the consuls of their own order, and that the people should allow the patricians to elect a prætor (*a*), who should be the sole judge and dispenser of justice in the city. Thus at length, after the most violent animosities, the two orders being perfectly reconciled, the senate cheerfully came to a resolution, "that it was meet," in gratitude to the immortal gods, and truly if ever they had good reason before, now especially they had, "to celebrate the great (*b*) games, and to add one day more to the three, during which they used formerly to last." But the ædiles of the people refusing to perform that office, the young patricians with one voice, cried out, "that, for the service of the immortal gods, they would willingly take that honour upon them, provided they might be appointed ædiles." Upon which they received the general thanks, and the senate decreed, "that the dictator should make a motion to the people, for their electing two patricians to be ædiles (*a*), and that the fathers should ratify the acts passed in all the comitia held that year."

END OF THE SIXTH BOOK.

# THE HISTORY OF TITUS LIVIUS.

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## BOOK SEVENTH.

Two new magistracies added, the prætorship and the curule ædileship The city distressed by a pestilence memorable for the death of *Furius Camillus*. While they endeavour to find a remedy for this calamity, and to put an end to it by the institution of some new religious rites, stage-plays first introduced. *M. Pomponius*, tribune of the people, appoints *L. Manlius* a day to take his trial, for the arbitrary manner in which he had raised the *leues*, and for banishing his son, who had been guilty of no crime. This young man, whose banishment was laid to his father's charge, comes into the tribune's bed-chamber, and with his drawn sword obliges him to swear that he would not proceed in his impeachment against his father. All the country very much terrified with the opening of the earth, and all the precious things of the city of Rome thrown into the wide gap. *Curtius* armed and mounted on horseback drives headlong into it, and the gap is filled up. *T. Manlius*, the young man who had rescued his father from the prosecution of the tribune, engages a Gaul, who had challenged the Roman soldiers to fight him in single combat, kills him, and takes from him a gold chain, which he afterwards wore, and thence called *Torquatus*. Two tribes added, *Pomptina* and *Publilia*. *Licinius Stolo* condemned by a law of his own making, because he possessed more than five hundred acres of land. *M. Valerius*, military tribune, kills a Gaul who had challenged him, during the combat a crow, perching on the Gaul's helmet, scratched him with his bill and claws, and from that *Valerius* receives the surname of *Corvus*, and upon account of his bravery, was chosen consul the next year, when he was but twenty-three years of age. An alliance concluded with the Carthaginians. The Campani being greatly distressed by a war with the Samnites, beg assistance of the senate against their enemies; but as they did not obtain it, deliver up their city and their lands to the Roman people, who immediately resolve to defend what was now become their own property against the Samnites. The army led into a disadvantageous place by *A. Cornelius* the consul, is in great danger, and delivered from it by *P. Decius Mus*, military tribune, who gaining possession of a little hill overlooking the place where the Samnites had posted themselves, gave the consul an opportunity to get upon fair ground, and being beset by the enemy, broke through them. The Roman soldiers, who had been left in garrison at *Capua*, form a conspiracy to make themselves masters of that city; and their design becoming known, for fear of punishment, revolt from the Romans; by the advice of *M. Valerius Corvus*, they are recovered from their frenzy, and restored to their country. This book also contains the victories obtained over the *Hernici*, the *Gauls*, *Tiburtes*, *Præternates*, *Tarquinienses*, *Samnites*, and the *Volsci*.

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I. THIS year was remarkable for the consulship of a man who was the first nobleman of his family (*a*), and for the institution of two magistracies, the prætorship and curule ædileship (*b*);



both which honourable offices the patricians obtained for yielding the power of choosing one consul from among the commons. The people conferred the consulate upon L. Sextius, who had preferred the law by which they had gained this privilege. The senators by their interest at the election, obtained the prætorship for Sp. Furius the son of M. Camillus, and the ædileship for Cn. Quintius Capitolinus, and P. Cornelius Scipio, all men of their own rank. L. Æmilius Mamercinus was the patrician appointed colleague to L. Sextius. In the beginning of the year there were frequent reports, that the Gauls, after having ranged up and down Apulia for some time, were forming themselves into a body, and that the Hernici had revolted. However, they put off the consideration of every thing, on purpose, that a plebeian consul might have no opportunity of acting, and all manner of business was as much at a stand, as if there had been a vacation of the courts of justice. But this quiet was soon disturbed by the tribunes, who were uneasy upon seeing that the nobility, instead of one plebeian consul, had three patrician magistrates, adorned with the prætexta, and seated in curule chairs, with all the dignity of consuls, and that the prætor who was one of them should administer justice, and, being created under the same auspices with the consuls, acted as their colleague. This made the senators ashamed to insist upon having the curule ædiles chosen from among the patricians. Wherefore they agreed at first that they should be chosen from among the commons every other year, but after that they were elected promiscuously. The next year, L. Genucius and Q. Servilius were consuls; the city was neither disturbed by foreign wars nor domestic seditions, but that it might not entirely be free from fear and danger, a terrible plague broke out in it. It is said, that a censor, a curule ædile, and three tribunes of the people died of it, and that the mortality among the commons was no less in proportion to their number. But that which made this plague most remarkable, was the death of M. Furius Camillus, who was universally lamented, though he died in an advanced age. For he was really a most excellent man in every condition of life; he was the chief person in the state both in peace and war, before his banishment; but his glory received an additional lustre from his exile, both by the want which Rome had of him; for after it was taken by the enemy, it implored his assistance; and also from his good fortune, by which being restored to his country, he restored his country to itself. After this restoration, during the space of twenty-five years, for he lived so long after, he maintained a character suitable

to his high renown, and was deservedly reckoned worthy to be esteemed the second founder of the city after Romulus.

II. The plague continued to rage this year and the following, during the consulate of C. Sulpicius Peticus and C. Licinius Stolo. And all this time, nothing remarkable happened, but in order to obtain mercy of the gods, a public entertainment, called *lectisternium* (*a*), was made for them, which was the third regale of this kind that had been made since the founding of the city. But when the violence of the plague was neither abated by human prudence nor divine assistance, superstition having engrossed their minds, among other methods which they took to appease the incensed deities, they are said likewise to have instituted the games called *scenici* (*b*), which was a diversion quite new to a warlike people, who before this time had none but those of the circus. These theatrical representations, like the beginnings of most other things, were at first inconsiderable, and in fact borrowed from foreigners. For actors were sent from Hetruria, who, without verses, or any thing in imitation of them, danced (*c*), not ungracefully, after the Tuscan manner, to the flute (*d*). In process of time, the Roman youth began to imitate these farces, intermixing raillery in unpolished verses, their gestures corresponding to the sense of the words. Thus were these plays received at Rome, and being improved by frequent performance, the Roman actors had the name of *Histriones*, from the Tuscan word *Hister*, which signifies a stage player. But they did not throw unpremeditated, extempore and irregular jests at one another, in such loose and indecent verses as were used by the *Fescennini* (*e*), but acted satires (*f*), interspersed with harmonious measures, set to the flute, and repeated with suitable gestures. And some years after, Livius Andronicus first ventured to abandon satires, and write regular plays. He acted his own pieces, as all authors did at that time; but being hoarse with being often called upon by the spectators to repeat them, he is said to have asked their consent, that a boy should sing to the flute, and upon this he in his action imitated what was sung with somewhat more vigour and activity, as he was no longer obliged to use his voice. Then the players began to have persons at hand to sing to them, while they only acted their parts dialogue-wise. But after these farces, which afforded the people subject of loose mirth and laughter, were, by this regulation, reduced to form, and playing grew by degrees into an art, the Roman youth left them to be acted by the common players (*g*), and began, as formerly, to act farces at the end of

their regular plays. These pieces were ever after called *exodia* (*h*), and were most commonly interwoven with the *Atellane* (*i*) comedies. These kind of plays were borrowed from the *Osci* (*k*), and were always acted by the Roman youth, who would not allow them to be disgraced by professed actors having any part in them, for fear of prostituting them. And hence it hath been a rule for those who acted these pieces, not to be degraded from their tribe, and they were admitted to serve in the army, as if they had never appeared on the stage. Among other things, I thought it proper to give the reader this account of the rise of the Roman drama, that he may see how these shews from moderate beginnings arrived to a pitch of extravagance, hardly to be tolerated in wealthy kingdoms.

III. But though the entertainments of the stage were instituted to appease the wrath of heaven, they neither freed the people's minds from superstition, nor delivered their bodies from the plague. For when the shews were half ended, the Tiber overflowed its banks, and put a stop to them. This occasioned a terrible consternation, and the Romans concluded that the gods were offended at them, and rejected all the endeavours by which they sought to appease them. For this reason, Cn. Genucius, and L. Æmilius Mamercinus, for the second time being consuls, when the invention of new expiations gave their minds more uneasiness than the distemper gave their bodies, the old people remembered that the plague had formerly been stopped by the dictator's driving a nail. This prevailed on the senate to revive that ceremony, and they ordered a dictator to be chosen to perform it. L. Manlius Imperiosus (*a*) was the person pitched upon, who appointed L. Pinarius his general of the horse. There is an old law written in ancient characters and obsolete Latin words, which enjoins him who is vested with supreme power to drive a nail every year into this wall on the thirteenth of September. It was driven into the right side of the temple of Jupiter O. M. where it was joined to the temple of Minerva. And because the Romans had very little learning in these early ages, it is said they used this nail (*b*) to mark down the number of their years, and that the law which appointed it to be done had been dedicated to Minerva, because numbers were invented by that goddess. Cincius, a diligent searcher into antiquities of this kind, affirms, that they marked the number of their years at Volsinii (*c*) by nails which they drove into the temple of Nortia (*d*), a Tuscan goddess. M. Horatius the consul dedicated the temple of Jupiter O. M. the first

year after the expulsion of kings. Afterwards the ceremony of driving this nail was transferred from the consuls to the dictators, because theirs was an office of superior dignity. And some time after, the custom having been discontinued, it was thought a matter of such consequence, that a dictator ought to be created to renew it. For this purpose they nominated L. Manlius. But he, as if he had been appointed to fight for the republic, and not solely to perform her religious ceremonies, was ambitious to command an army against the Hernici, and with this view he plagued the youth by the violence he used in raising the levies. At length all the tribunes of the people rose to oppose him, so that he was obliged, either through force or shame, to abdicate his office.

IV. Nevertheless, in the beginning of the following year, Q. Servilius Ahala and L. Genucius for the second time being consuls, M. Pomponius, tribune of the people, appointed Manlius a day to take his trial. The cruelty he had exercised on his fellow-citizens in raising the levies, had made him odious; for besides the loss which many of them had sustained by confiscation of their goods, several of them had had their bodies miserably mangled, and some of those, who had not answered to their names, he had whipped with rods, and others he had put in irons; but that which chiefly raised their indignation against him, was his boisterous inflexible temper, and the surname of Imperiosus, (imperious or lordly) a title intolerable in a free state, as he had it from the open boast he made of his cruelty, which he exercised with the same licentiousness on strangers, relations, and on those descended of his own body. For, besides other articles of impeachment brought against him, the tribune charged him "with banishing his own son, a young man convicted of nothing criminal, from the city, from his house, household gods, the forum, the sight and the company and conversation of his equals, confining him almost as closely as if he was shut up in a prison, or house of correction, and obliging him to do all manner of servile work, where this young man, born of the highest quality, and a dictator's son, might learn from the miseries which he daily suffered, that he was descended from a father who was truly imperious. What was his crime? Nothing, but being slow in speech, and not very eloquent. And ought not a father, if he had the least spark of humanity in him, to endeavour rather to remedy this natural defect by gentle methods, than punish it, and make it still worse by cruel usage?" He added, "that dumb beasts cherish and bring up their young ones that happen to

be deformed as carefully as those that are without blemish. But that L. Manlius, by his severity, increased his son's defects, and even smothered his slow parts; and if he had any small share of natural endowments, extinguished them by confining him among beasts, and educating him among illiterate clowns."

V. These accusations almost fired every one with resentment against him, except his son, who being extremely uneasy to find that his father was exposed to envy and accusations on his account, that gods and men might know that he chose rather to assist his father than his enemies, formed a resolution, which, though it proceeded from a mind rude and ill formed, and might be considered as a dangerous precedent in a well-governed state, was highly commendable for the example it set of filial duty and affection. He took a knife, and, without communicating his design to any body, set out in the morning for the city, and went straight from the gate to M. Pomponius the tribune. He told the porter that he wanted to speak with his master immediately, and desired him to inform him that he was T. Manlius, the son of Lucius. He was immediately introduced to the tribune, who imagined that he was highly exasperated against his father, and was either come with some fresh accusation against him, or to give him some information how to proceed with the impeachment. After the usual compliments, he told him that he had something to communicate to him in private, and when every body was retired, he drew out his knife, and standing with it drawn over the tribune's bed, threatened to run him through with it directly, if he did not swear "that he would never hold an assembly of the people on purpose to accuse his father." The tribune was in the utmost consternation upon seeing the knife glittering before his face, and finding himself alone, unarmed, the young man stronger than he, and, which made him more terrible, foolishly vain of his strength, was obliged to take the oath; and from this time he openly declared, that he had been compelled through force to desist from the prosecution. And though the commons eagerly desired to give their votes on this cruel imperious man, who had been arraigned before them, yet they were not sorry that the son had dared to make this bold attempt in behalf of his father. But that which increased the merit of the action was, that the harsh treatment which he had suffered from his father, had not in the least diminished the young man's regard and affection. For this reason, the father not only escaped from his trial, but it likewise reflected honour upon the son. For it being resolved that year, for the first time, to appoint military tribunes to command the

legions by the suffrages of the people, whom the generals had formerly named, as they now do those who are called *Rufuli* (*a*), he was nominated second among the six that were appointed, though as he had lived in the country, retired from all commerce with mankind, he had done nothing, either in peace or war, to merit the favour of the people.

VI. This year too, the middle of the forum, occasioned either by an earthquake, or some other violent shock, is said to have sunk considerably, and to have left a prodigious cavity, which could not be filled up with earth, though every body brought some to throw into it, till, by the advice of the gods, they began to enquire in what the chief strength of the Romans consisted. For the soothsayers declared, that whatever that was, it must be devoted to be thrown into that place, if they desired that the Roman republic should be perpetual. While they seemed to deliberate whether bravery and arms were the most valuable things Rome was mistress of, Metius Curtius, a young man who had distinguished himself by his valour in war, is said to have upbraided them for making any doubt about it: and after a profound silence, Curtius turned his eyes, sometimes to the capitol and the temples of the immortal gods, which overlooked the forum, and sometimes stretching out his hands to heaven, and at other times to the infernal deities through that vast cavity, devoted himself. Having done this, it is reported that he put on his armour, and, being mounted on a horse equipped with the utmost magnificence, drove into the gulph, where corn and other offerings were heaped upon him by numbers of men and women, and that the lake Curtius took its name from this hero, and not from Metius Curtius, the soldier of T. Tatius. I would have spared no pains to have come at the truth of this account, if in my researches I could have found any vouchers that could have led me to any certainty about it; but where the antiquity of the fact makes this impossible, in that case we must be content with tradition. Besides, it is more honourable to refer the name to the latter Curtius. The same year, after the expiation of this terrible prodigy, heralds were sent to the Hernici, to demand restitution of goods, and, upon their refusal, the senate resolved to refer the declaration of that war to the people the first opportunity, and they commanded it to be proclaimed in a full assembly. That province had fallen to the consul Genucius by lot. The public was very attentive to his conduct, because he was the first plebeian consul who was to carry on a war with an army under his own command, and they were sensible, that, according to the event of

the expedition, men would judge that that honour had been well or ill bestowed upon those of that order. It happened that Genucius advanced with great eagerness against the enemy, and fell inconsiderately into an ambuscade. The consul was surrounded by a body of men who did not know him, and was slain, after his legions, being surprised with the sudden fright, had been put to the rout. When the news of this defeat was brought to Rome, the grief of the patricians was not so great for the public calamity as their pride was raised by the unhappy conduct of this plebeian consul. They exclaimed in all places, and bid them "go and choose plebeian consuls, and transfer the auspices to prophane persons. They said the patricians might be driven from the honours which solely belonged to them by the decrees of the commons, and asked, if this law, made without the auspices, had been good against the immortal gods? No! they had vindicated their own authority and their auspices: that the auspices had no sooner been used by a person who was debarred from them by the laws of gods and men, than the general and his army had been cut off, as a lesson to them to hold no more of those comitia, in which no regard was had to the distinct rights of families." The senate and the forum rung with these discourses. As Appius had dissuaded the Romans from passing the law, he now only condemned with the greater justice the bad success of a measure which he had opposed, and for that reason Servilius the consul, with the consent of the patricians, chose him dictator. A levy was ordered to be made, and a vacation of the courts of justice proclaimed.

VII. Before the dictator and the new-raised legions could march against the Hernici, the troops, commanded by Sulpicius as lieutenant-general, found an opportunity of fighting them successfully. For after killing the consul, as they were advancing with an air of contempt to the Roman camp, in full confidence of being able to take it, Servilius encouraging his men, who were fired with resentment, and provoked with the affront put upon them, made a sally upon the Hernicii, who were so far disappointed in their design of coming up to the rampart, that their ranks were immediately broken, and they were obliged to retreat in confusion. When the dictator arrived, the new raised troops joined the other, and the forces were doubled. The dictator harangued his army, commended Sulpicius and his men for their bravery in defending the camp, and by giving them their due praises, enflamed their courage, and excited the other legions to emulate their gallant behaviour. The enemy were no less active in their preparations, being mindful of the glory they had lately acquired; and

as they knew that the Roman army was reinforced, they likewise augmented their troops. All of the Hernician name who were of age to bear arms, were raised. They levied four hundred and eight cohorts, which were the choicest of their forces, and the flower of their youth; and to excite their hopes and courage, they had resolved to give them double pay. They likewise exempted them from all the laborious offices in the army, and they were reserved for the toil of one single battle, to convince them that they ought to exert a more than common courage on that occasion. When the army was drawn up, they had the post of honour, that their bravery might be the more conspicuous. A plain about two miles in length separated the camps of the Romans and Hernici, about the middle of which the armies engaged. The victory at first was doubtful, and the Roman cavalry with all their fury tried several times in vain to break the enemy's lines. But having often renewed their charge with the same ill success, they first consulted the dictator, and, upon leave given, dismounted, set up a shout, posted themselves in the first line, and began the battle afresh: and the Hernici would not have been able to have withstood these brave horsemen, if these extraordinary cohorts had not made head against them with equal strength and courage.

VIII. Then the fortune of the day was disputed by the flower of both armies. The merit of those who died on both sides, by the common fate of war, was greater than their number. For the rest of the soldiers, as if they had left the decision of the battle to the choicest troops of both armies, committed their fortune to their bravery. A great number was killed on both sides, and many more were wounded. At length the Roman cavalry upbraided one another, by asking, "what now remained to be done, seeing they had not been able, by charging the enemy on horseback, to make them give ground, and could make no impression on them now when they fought on foot? What third manner of fighting should they try? To what purpose should they have boldly hurried to the front of the battle, and fought in the room of other men?" Having excited one another by these words, they set up a shout, and advanced against the enemy. And first they drove them from their post, then they forced them to retreat, and after that put them to flight. In so great an equality of strength, it is no easy matter to determine what turned the balance, unless we suppose that the constant good fortune of the Romans might have raised their courage, and the bad fortune of the Hernici sunk theirs. The conquerors pursued



them to their camp, but as the day was far spent, they did not attempt to storm it. The dictator had been so long detained in searching for happy omens, that he could not give the signal to battle before noon, which occasioned the action to last till night. The next day the Roman army took possession of the enemy's camp, which they had deserted. There they found only a few wounded men; and a body of the fugitives being discovered by their ensigns near the city walls, through the thinness of their ranks, were put to the rout, and straggled in consternation through the fields. Nor was the victory without bloodshed on the Roman side; the fourth part of their men was slain, but the loss of some knights who fell in the battle affected them most sensibly.

IX. The next year the consuls C. Sulpicius and C. Licinius Calvus led an army against the Hernici, and when they found not the enemy in the field, they took the city Ferentinum. As they were returning from that place, the Tiburtes shut their gates against them. Both nations had formerly been making many complaints of one another, and this step at last determined the Romans to send the *feciales* to the Tiburtes to demand satisfaction, and, upon refusal, to declare war against them. It is very certain, that T. Quinctius Pennus was dictator that year, and that Servius Cornelius Maluginensis was his general of the horse. Licinius Macer says, that the dictator was nominated by the consul Licinius, in order to preside at the *comitia*, and that he was obliged to do it to check the ambitious designs of his colleague, who intended to hold the *comitia* for the election of consuls before he set out for the army, and to get himself continued in his office. But as this historian ascribes this honour to his own family, it makes his authority have the less weight; and as I can find no mention of it in ancient records, I am more inclined to think that the dictator was nominated on account of the war with the Gauls. This much is certain, that they encamped that year on the Salarian way beyond the bridge, which stood upon the Anio, three miles from Rome. The dictator, after proclaiming a vacation of the courts of justice on account of this invasion, obliged all the young men to take the military oath, and marching from the city with a great army, pitched his camp on the hither bank of the Anio. The bridge lay between the two armies, which neither of them broke down, lest it should be a sign of fear. While both sides endeavoured to make themselves masters of it, there happened several skirmishes between them, but their strength was so equal that the dispute was not likely to be

easily decided. Upon this, a Gaul of a gigantic stature advanced upon the empty bridge, cleared of every body else, and cried out as loud as he could, "Let the bravest man in the Roman army come and fight me, that the success of our combat may determine which is the more valiant nation."

X. The chief of the Roman youth were silent for a long time; for they were ashamed to refuse the challenge, and at the same time unwilling to demand the chief lot of danger. Upon this, T. Manlius, the son of Lucius, who had delivered his father from the prosecution of the tribune, quitting his post, came to the dictator, and said, "Though I were sure of victory, general, yet without your orders I have never fought out of my rank. If you will give me leave, I will shew this wild beast, who dances with so much haughtiness before the enemy's standards, that I am of the blood of that family who threw down the Gauls from the Tarpeian rock." Then the dictator said to him, "Persevere, T. Manlius, as you have begun in testifying your piety to your father, and your zeal for your country; go, and by the assistance of the gods, convince them that the Roman name is invincible." Having said this, his companions put on his armour. He took one of those bucklers which were used by the foot, and girt on a Spanish sword which was fit for a close fight (*a*). Having dressed and armed him in this manner, they brought him out against the Gaul, who was foolishly vapouring, and lolling out his tongue by way of insult at his enemy; a circumstance which the ancient historians have also thought fit to mention. Then every one retired to his post, and the two armed champions were left in the middle between the two armies, rather by way of shew than according to the rules of war. To those who judged by appearance, they were a very unequal match: the one was of a huge size of body, his garments striped of different colours, and his arms glittering, adorned and embossed with gold. Manlius, being of the middle military stature, made but an indifferent appearance, and his arms were rather fit for fighting than shew. He neither sung, leaped, nor made any idle flourishes with his armour, but with a heart full of courage and resentment, reserved his fire for the danger of the combat. When the champions stood in this posture between the two armies, and while the minds of so many spectators were fluctuating between hope and fear, the Gaul, like a great colossus, threatening ruin from on high, projecting his shield on his left arm against the impending stroke of his enemy, thundered down his sword edgewise, but without effect. The Roman raising the point of his sword up-

right, and striking his own buckler against the lower part of the Gaul's, slipped under it so closely, that he could not be wounded by him, and getting within his sword, stabbed him both in the belly and groin: he fell, and covered a large piece of ground with his huge body. Without mangling him any more, Manlius only stripped him of his golden collar as he lay dead, which, bloody as it was, he put upon his own neck. The Gauls were quite confounded with terror and amazement. The Romans, in transports of joy, ran from their posts to meet their champion: they congratulated him upon his victory, and carried him amidst acclamations of triumph to the dictator. Among the other extemporary or unpremeditated praises which the soldiers, in the height of their joy, sung like songs, the surname of *Torquatus* was observed, which was ever continued to his posterity, and was a very great honour to his family. To this the dictator added a crown of gold, and having assembled his troops, gave him the highest commendations for his gallant behaviour.

XI. And this combat really contributed so much to the finishing of the whole war, that the Gauls the very next night deserted their camp in a fright, and withdrew into the country of the *Tiburtes*, who took part with them in it, and supplied them with provisions, after which they soon retired into *Campania*. This behaviour of theirs was the reason, why the next year, when the *Hernici* had fallen to *M. Fabius Ambustus* the consul; as his province, the people ordered his colleague *C. Pætilius Balbus*, to lead an army against the *Tiburtes*. The Gauls returning from *Campania* to their assistance, committed terrible devastations in the territories of *Lavicum*, *Alba* and *Tusculum*, which they did without doubt under the conduct of the *Tiburtes*. And though the commonwealth had been content with carrying on the war against them by a consul, the invasion made by the Gauls obliged them to create a dictator. Accordingly they chose *Q. Servilius Ahala*, who appointed *T. Quinctius* to be his general of the horse, and by authority of the senate vowed the great games, if he should be successful in that war. The dictator having commanded the consular army to remain in the country of the *Tiburtes* to keep them at home, administered the military oath to all the youth who were left at *Rome*, and none of them refused to enlist themselves. He engaged the Gauls not far from the gate *Collina* with the strength of the whole city, in sight of their parents, wives and children, objects which greatly raise the courage of those who fight at a distance from them, but when presented to the eyes of the soldiers, excited their shame and compassion. After

much slaughter on both sides, at length the army of the Gauls gave way and fled to Tibur, as their fortress or asylum. The consul Pætilius met the scattered fugitives not far from that town, and obliged them and the Tiburtes, who sallied out to assist them, to take refuge in the city. The dictator and the consul behaved most gallantly on this occasion; and Fabius the other consul at first defeated the Hernici in some slight skirmishes, and when they came to a general battle with all their forces, entirely routed them. The dictator highly commended the consuls both to the senate and the people, and having also given them the honour which he might have claimed to himself, abdicated his authority. Pætilius obtained a double triumph over the Gauls and the Tiburtes. Fabius was content with the honour of an ovation. The Tiburtes made a jest of the triumph of Pætilius: they asked "where the consul had engaged with them in any pitched battle? They said it was true, that a few of their citizens had gone without the gates to see the flight and the terror of the Gauls, and when they found themselves attacked by the Romans, they killed all those they met without distinction, and returned into the city. Hath such an inconsiderable victory been thought deserving of a triumph? To convince them that they ought not to think it a great and uncommon exploit to raise a tumult and confusion at the gates of Tibur, they should soon see a greater tumult at the walls of Rome."

XII. In consequence of these bravadoes, the next year in the consulship of M. Popillius Lænas, and Cn. Manlius, they marched from Tibur in the night-time as soon as it was dark, to Rome with a hostile army. This sudden invasion and alarm in the night, terrified the Romans, who were wakened by it out of sleep, besides their fears were increased, because many of them knew not who the enemy were, nor whence they came. Nevertheless they quickly sounded an alarm, and secured the gates by centinels, and the walls by guards. When daylight discovered to them a small number of enemies and these Tiburtes only, the two consuls, marching out at two different gates, fell upon them on both sides as they were advancing to make an attack upon the walls. But they were scarce able to sustain the very first onset of the Romans, so that it appeared that they had been tempted to make this attempt more by the divisions at Rome than by their own bravery. Their coming was even an advantage to the Romans, for the dread of a war at their gates, stifled the sedition which was ready to break out between the senate and people. The enemy the following year made another incursion upon the Ro-

man territory, which alarmed the country people more than the city. For the Tarquinienses entered and ravaged their lands, especially on the side where they were joined to Hetruria; and restitution being demanded in vain, the people ordered the new consuls C. Fabius and C. Plautius to declare war against them. The Tarquinienses fell to the former as his province, and the Hernici to his colleague. The rumour likewise of a war with the Gauls increased every day: but what comforted the Romans amidst so many impending dangers was that the Latines sued for peace, which was granted them, and they furnished the republic with a great number of men, as stipulated in their ancient treaties which they had not observed for many years. The Romans, reinforced by these auxiliaries, were the less alarmed when intelligence was brought them that the Gauls, were all on a sudden come to Præneste, and from thence advanced as far as Pedom, where they had pitched their camp. However they thought fit to choose a dictator, and C. Plautius the consul being sent for on purpose, nominated C. Sulpicius, who took M. Valerius to be his general of the horse. They chose the best troops out of the consular armies, and led them against the enemy. This war was carried on more slowly than was agreeable to the soldiers on either side: at first the Gauls only were eager to engage, but afterwards the Romans running furiously to arms, and skirmishing with the enemy, discovered a forwardness superior to theirs. However the dictator did not think it advisable to risk a battle unnecessarily with a people, whom time and a strange country would weaken every day, as they continued in it without any magazines of provisions, or fortifications to secure them. Besides, as their constitution of body and temper of mind qualified them only for short and expeditious services, their strength and courage must be wasted by the smallest delay. For these reasons, the dictator spun out the war, and threatened to punish those severely who should attack the enemy without his orders. The soldiers being very uneasy at these delays, began at first to reflect upon Sulpicius's conduct, in their discourses with one another in their posts, and upon guard, and sometimes blamed the senate in general for not allowing the war to be carried on by consuls. They said, "They had pitched upon an excellent general, a matchless commander, who expected that victory should come down from heaven to him while he sat still and did nothing." Soon after they vented not only these but even more severe reproaches against him in the day-time; declaring openly that they would either fight without his orders, or return directly in a body to

Rome. The centurions joined with the soldiers, nor were these seditious discourses confined to small parties assembled in rings, but publicly uttered in the centre of the army, and even in the general's quarters. The mutineers also having assembled in such numbers as if they had been summoned to an assembly, called out from all parts that they must immediately go to the dictator, and nominated Sex. Tullius to speak to him in the name of the whole army, in terms becoming his distinguished bravery.

XIII. As this Tullius was now the first captain of the *triarii* for the seventh time, and there was not a man in the infantry who had signalized himself more by his gallant exploits, he advanced before a body of the soldiers to the tribunal; and whilst Sulpicius was not more surprised to see this crowd of mutineers, than to find Tullius at the head of them, who had been always very obedient to the orders of his general, he thus addressed the dictator:—"Your whole army, dictator, thinking you had found them guilty of cowardice, and that to disgrace them, you have in a manner stripped them of their arms, have besought me to plead their cause. And the truth is, though we have given ground, or could be reproached with having turned our backs upon the enemy, or lost our colours in a shameful manner, yet I should think it reasonable for you to permit us to repair our fault by our valour, and to wipe out the remembrance of our cowardice by new glory. Our legions who were routed at Allia, after their defeat returned from Veii, and by their bravery recovered their country which their fears had lost. But as for us, by the goodness of the gods, by your good fortune and that of the Roman people, our army is yet entire, and our glory unsullied. Yet I can scarcely say our glory is unsullied, seeing not only the enemy insult us as so many dastardly women shut up within our ramparts, but you our general, which gives us the more sensible uneasiness, think your army to have neither courage, arms, nor hands; and before you have tried us, so far despair of us, as to look upon yourself to be the commander of a parcel of weak and lame invalids. For how else can we believe that you, an experienced general, who have given proofs of the greatest bravery in war, should sit, to use a common expression, with your arms across? Whatever the cause may be, it is more reasonable to think you suspect our courage than we yours. But if this is not owing to you, but to a general concert, and some combination of the senate, not the war with the Gauls, keeps us at a distance from Rome and our household gods, I beseech you not to consider what I shall say as spoken by soldiers to their general, but by the

plebeians to the patricians, and be assured, that as you have your separate designs and views, they will likewise have theirs. Who can be offended with us for considering ourselves as your soldiers and not your slaves, and as sent to war, not into banishment? Can any body take it amiss, if we declare, that in case our general would lead us out to battle, and give us the signal to engage, we would fight as becomes Romans and brave men? But if there is no occasion for arms, that we would choose rather to take our ease at Rome than in the camp. So much for the patricians. But as for you, illustrious general, we your soldiers conjure you to lead us to battle. Our great desire is to conquer, and especially under your conduct, to procure for you the honour of the laurel, to enter the city with you in triumph, to accompany your chariot to the temple of Jupiter, the greatest and best of beings, and with joy and gladness return him thanks for your success." This speech of Tullius was followed by the entreaties of the common soldiers, who called out from all parts, conjuring him to order them to arm, and to give the signal to engage.

XIV. The dictator was pleased to see this ardour among his men, and though he thought the step they had taken was a bad precedent, yet he promised to comply with their demands. Then he enquired of Tullius privately, what this proceeding meant, and how it had been brought about. Upon which the centurion earnestly besought him not to think that he had either forgot the martial laws, his own duty, or the regard due to his general; "that he consented to put himself at the head of the mutineers, who generally resemble their leaders, only to prevent their choosing to themselves such a factious head as an enraged multitude commonly do; as for himself, he assured him, that he would do every thing according to the orders of his general, but that he ought to take all proper measures to keep his army in their duty. That their minds were in such a violent ferment, that he could no longer delay to gratify their desires, and they would seize the first opportunity to engage if their general would not give them the signal to battle." While they were talking, a Gaul was carrying off some horses which were grazing without the intrenchments, but two Roman soldiers took them from him. Upon this the Gauls threw stones at them, the Roman sentinels set up a shout, and they ran from both sides to assist their own men. On which the two armies were upon the point of coming to a general battle, had not the centurions made haste to part the fray. This accident fully confirmed what Tullius had told the dictator, and as the matter would admit of no longer delay, he gave notice in

the camp that they should fight the next day. But as the dictator trusted more to the courage than the number of his men, he began to cast about and to consider all possible methods of intimidating the enemy. As he was a man of a ready invention, he contrived a new stratagem which many Romans and foreigners, and even some generals in our time have used. He ordered the pack-saddles to be taken off the mules, and having only left upon them two horse-cloths, armed some of the muleteers with the arms of the sick-men, and others with those of the prisoners, and mounted them upon them. With this body, consisting of near a thousand men, he blended an hundred horsemen, with orders to march up to the mountains above the camp in the night, to hide themselves in the woods, and not to stir till he should give them the signal. As soon as it was day, he began to draw up his men carefully along the foot of the mountains that the Gauls might face them. The mock squadron had by this time gained their post, and they terrified the enemy more than regular troops could have done. For the generals of the Gauls at first did not believe that the Romans would come down into the plain, but when they saw that they had marched down all of a sudden from the rising ground, as they were eager to engage, they rushed forward to charge them, and the battle began before the generals could give the signal.

XV. The Gauls fell upon the right wing of the Romans with so much fury, that they could not have been able to stand against them, if the dictator had not happened to be there. He upbraided Tullius particularly, and asked him "if he had promised that the soldiers would fight in this manner? Where were the shouts of those who demanded their arms? Where were the menaces of those who declared they would fight without the orders of their general? Now their commander with a loud voice encouraged them to the battle, and advanced sword in hand before the first ranks. Would any of those who intended to lead them on, they who were so courageous in the camp, and cowardly in the field, follow him?" These reproaches were just, and stung the Romans with so much shame, that regardless of danger they threw themselves amidst the darts of the enemy. This attack, in which they behaved almost like madmen, first put the enemy into disorder, and the horse falling on, put them entirely to the rout. When the dictator saw that the enemy had given ground on the right wing, he turned to the left, to which he observed the enemy resorting in great numbers, and gave the appointed signal to those who lay in ambush of the mountain. Upon their setting upon a



fresh shout, the Gauls observed them marching across the mountain to their camp, and for fear they should cut off their retreat to it, left off fighting, and fled thither with precipitation. But being met by M. Valerius, general of the horse, who after the defeat of their right wing, kept hovering round the enemy's camp with his squadrons; they fled to the mountains and woods, and very many of them were cut off by the muleteers and counterfeit cavalry, and a great slaughter was made of those who had retreated thither through fear, after the battle was over. And no general since M. Furius Camillus more justly deserved to triumph over the Gauls than C. Sulpicius. He also separated a large quantity of gold from the other spoils of the Gauls, which he consecrated to Jupiter Capitolinus, and enclosed in a vault built with square stone. This year too the consuls fought with the enemies of Rome, but with different success. For the Hernici were defeated and subdued by C. Plautius. His colleague Fabius engaged rashly and unadvisedly with the Tarquinienses; the loss which the Romans suffered in the battle was not so great, but after it, three hundred and seven of their soldiers, who had been made prisoners, were sacrificed by the enemy. This barbarous punishment made their disgrace the more remarkable. And to add to their misfortunes, the inhabitants of Velitræ and Privernum made a sudden incursion into the Roman territories, and ravaged them. The same year the Pomptin (*a*) and Publilian tribes were added to the former. The games which Camillus the dictator had vowed were celebrated, and C. Pœtelius the tribune of the people, by the advice of the senate, first proposed a bill in the comitiâ to prevent corruption and canvassing at elections. This law, it is believed, checked the ambition of candidates, and especially of upstarts, who were wont to go about to the fairs, and other public meetings, to buy votes.

XVI. But the bill which the tribunes M. Duilius and L. Mænius brought in the next year in the consulship of C. Marcius and Cn. Manlius, for reducing the interest of money to one per cent. was not so agreeable to the patricians, and for that reason the commons were more eager to pass it. Besides the wars they had resolved upon the year before, the Falisci (*a*) were declared enemies on account of two provocations. For their youth had assisted the Tarquinienses against the Romans, and when some of of the latter after their defeat had fled to Falerii (*b*) for refuge, they refused to restore them, when they were demanded by the *feciales*. That province fell to Cn. Manlius, Marcius led his army into the country of the Privernates, which by reason of a long

peace was in a flourishing condition, and thereby enriched his soldiers with the booty. And that the soldiers might have the larger share for themselves, to the plenty of plunder which they found in the enemy's country, he added an instance of his own generosity, as he reserved none of it for the public treasure, but favoured his army, and allowed them to better their fortunes. For when he saw that the Privernates had posted themselves in a very strong camp before the walls of their city, he assembled his men and spoke to them thus, "If you promise me to behave valiantly in battle, and not to be more intent upon plunder than upon fighting, I will give you both the booty of their camp and city." They demanded the signal with loud shouts, and full of hopes and courage, marched on briskly to the battle. And Sex. Tullius, of whom we made mention above, called out, "see, general, how faithfully your troops perform their promise," upon which he threw down his javelin, drew his sword, and fell upon the enemy. He was followed by all the first line, the Privernates were routed at the first onset, and fled to Priver-num. The Romans pursued them thither, and when they were setting their scaling-ladders against the walls, the city surrendered. Marcius obtained a triumph over them; the other consul performed nothing memorable, only he held an assembly of his men by tribes in the camp, and by a new precedent (*a*) passed a law, whereby it was enacted, that the twentieth part of the price of every slave that should be set free, should be paid into the public treasury. As this law brought a considerable income to the treasury which was then empty, the senate confirmed it. But the tribunes of the people who were more alarmed at the consequences which this act might have than at the law itself, made it capital for any person to call assemblies of the people at a distance from Rome. For said they, if such a freedom should be granted, they will be able to enact by their soldiers, who are sworn to obey their general, what laws they please; however prejudicial they may be to the interest of the people. The same year C. Licinius Stolo was, by a statute of his own making, fined in ten thousand asses of brass (*c*) by M. Popillius Lænas, because he with his son were possessed of a thousand acres of land, and by emancipating the latter he had fraudulently endeavoured to evade the law.

XVII. The new consuls M. Fabius Ambustus and M. Popillius Lænas, both for the second time, had two wars to sustain. That which Lænas carried on against the Tiburtines was easily terminated; for having driven them into their city, he ravaged their lands. The Falisci and Tarquinienses routed his colleague in the first en-

counter. That which chiefly terrified his army was their priests, who, carrying lighted flambeaux and snakes in their hands, advanced with the air of furies, and so affrighted the Romans with their odd appearance, that they ran with precipitation to their intrenchments, as if they had lost both their courage and their reason. But when the consul, the lieutenant-generals and tribunes, ridiculed and upbraided them with being terrified by bugbears like children, shame quickly gave a turn to their spirits, and they rushed as if they had been blindfold upon those very spectres from which they had fled before. After dispersing them, they fell upon the enemies who had real arms, and the same day they made themselves masters of their camp. They returned with a rich booty, and in their military songs made themselves merry with their own fright and the silly artifice of the enemy. Soon after the whole nation of the Hetrurians took up arms, and being conducted by the Tarquinienses and Falisci, advanced as far as the salt-pits (*a*). To oppose this impending danger, C. Marcus Rutilus was nominated dictator, and was the first commoner that was advanced to that office. He likewise appointed C. Plautius, a person of the same order, to be his general of the horse. This promotion the patricians looked upon as the highest indignity that could be put upon them, being enraged that even the dictatorship should be made common to all ranks, and therefore did their utmost to prevent the necessary preparations for the war to be made or decreed him. For this reason the people voted him the necessary supplies with the greater dispatch. After this he marched from the city, and by transporting his army in boats, sometimes to one side of the river, and sometimes to the other, wherever he got intelligence of the enemy, he cut off many of them whom he found straggling up and down, and pillaging the country. Then he made an unexpected attack upon their camp and took it, and having made eight thousand of the enemy prisoners, and either slain or driven the remainder out of the Roman territories, obtained the honour of a triumph by the order of the people, without the consent of the senate. As the patricians were unwilling that the comitia for the election of a consul should be held either by a plebeian dictator or consul, Fabius being in the field, the government fell into an interregnum. The interreges appointed to govern successively were Q. Servilius Ahala, M. Fabius, Cn. Manlius, C. Fabius, C. Sulpicius, L. Æmilius, Q. Servilius, M. Fabius Ambustus. During the administration of the second interrex, a dispute arose because two patricians were elected consuls, and when the tribunes interposed, Fabius, who presided

at the election, answered them, that there was a law of the twelve tables whereby it was enacted, "that the last decree of the people should only be in force, and as they had given their suffrages for two patricians, in this instance it was to be admitted as their last decree." The tribunes who continued their opposition, could do nothing but put off the election for some time, so that at length two patricians, C. Sulpicius Pæticus for the third time, and M. Valerius Poplicola were created consuls, and the same day entered upon their office.

XVIII. Four hundred years after the building of Rome, thirty-five after its recovery from the Gauls, and eleven years after the plebeians were made capable of being chosen consuls, C. Sulpicius Pæticus for the third time, and M. Valerius Poplicola, both patricians, were advanced to that office, after an interregnum. And the same year Empulum (*a*) was taken from the Tiburtines with little opposition; but it is not certain whether both the consuls commanded jointly in that war, according to some historians, or whether Sulpicius ravaged the lands of the Tarquinienses, while Valerius led the legions against the Tiburtines. But these magistrates had a harder struggle with the plebeians and tribunes at Rome. For they thought, as in their own persons two of the nobility had been at once raised to the consulate, themselves engaged not only in honour, but also in duty to resign the consulship into the hands of none but such as were patricians like themselves; that they ought entirely to give up their title to it, if they could not prevent its becoming a plebeian office, or deliver it entire to patricians as it had been transmitted to them by their forefathers. On the other hand the plebeians were enraged and said, "To what purpose did they live, or why were they reckoned among the number of citizens, if their whole collective body was not able to preserve a privilege which the courage of two men, L. Sextius and C. Licinius, procured? They would rather submit to kings, decemvirs, or to any government, however oppressive, than see both the consuls patricians, or one of the two orders of the state, which ought to govern and obey by turns, put in possession of the supreme power for ever, and thereby enabled to look upon the other as born for no purpose, but to be their slaves." The tribunes were not wanting to blow the coals of dissension, but among all the mutineers, there were none to head them. For after the people had several times gone down to the campus Martius spent many days in debate, at length the steadiness of the consuls got the better of them, and in a transport of grief and sorrow, they followed the tribunes, who cried out, that

liberty was utterly lost, and that they ought not only to leave the *campus Martius*, but even the city enslaved and oppressed by the tyranny of the patricians. Howbeit though the consuls were abandoned by a number of the plebeians, they proceeded with the same diligence to finish the election with the few who remained, and chose for consuls M. Fabius Ambustus for the third time, and T. Quinctius, both patricians. In some annals I find M. Popillius, instead of T. Quinctius.

XIX. This year they carried on two different wars successfully, and the Tiburtines after several defeats were obliged to surrender. They took from them the city *Sassula* (*a*), and all their other towns would have shared the same fate, if the whole nation had not laid down their arms, and submitted to the discretion of the consul. He triumphed indeed over them, but otherwise he used his victory with great moderation. The Tarquinienses were treated with great severity. Many of them were slain in battle, and a vast number were taken prisoners, of whom they chose out three hundred and fifty-eight of the highest quality, who were sent to Rome, and the rest were put to the sword. Nor did the people shew more clemency to the prisoners, who were sent to Rome, for they were first beaten with rods in the forum, and then beheaded. This punishment was inflicted upon the enemy by way of reprisal, for the Romans, whom they sacrificed in the forum of Tarquinii. These victories likewise engaged the Samnites to court their friendship. Their deputies received a favourable answer from the senate, and a treaty of alliance was concluded with them. The condition of the people of Rome was not so good at home as abroad. For though the interest of money was lessened by the law, which reduced it from twelve to one per cent. yet the poor were oppressed by the principal sums they owed, and submitted to the condition of serving for debt. These incumbrances discouraged the plebeians from opposing the election of both the consuls from among the patricians, they lost all concern about the comitia, and thought no more of procuring public advantages, by reason of their private grievances. The consulship remained in the hands of two patricians, who were C. Sulpicius Pæticus for the fourth, and M. Valerius Poplicola for the second time. Though the city was intent upon the war with the *Hetrurians*, because it was reported, that the people of *Cære*, out of compassion to the Tarquinienses, their kinsmen, had united their forces with theirs, deputies from the Latines turned the arms of the republic against the *Volsci*, by bringing intelligence, that they had raised an army, and were ready to enter the

Roman territories in a hostile manner. The senate thought that neither of these enemies were to be neglected, and therefore ordered troops to be levied for both expeditions, and the consuls to divide the provinces by lot. But afterwards the war in Etruria chiefly engaged their attention, when they were informed, by letters from Sulpicius, to whom the province of the Tarquinienses had fallen, that they plundered the country round about the Roman salt-pits, part of the booty had been carried into the territories of the Cærites, and their youth had certainly been among the pillagers. Upon this, the senate recalled Valerius the consul, who opposed the Volsci, and was encamped in the territories of Tusculum, and ordered him to nominate a dictator. He pitched upon T. Manlius, the son of Lucius, who appointed A. Cornelius Cosus to be general of the horse; and being content with the consular army, declared war against the Cærites, both by the authority of the senate, and the decree of the people.

XX. Then indeed the Cærites began in earnest to be afraid of a quarrel with the Romans, as if there had been more signs of a war in their declaration, than in the hostilities they themselves had committed; and they now clearly saw how unequal a match they were for such an enemy. They repented that they had plundered the Roman lands, and cursed the Tarquinienses, who had advised them to revolt. They neither raised troops, nor made any preparations for war, but all with one accord insisted that deputies should be sent to Rome to beg pardon for their offence. The ambassadors applied to the senate, and being referred by them to the people, besought the gods, whose sacred images they had received into their city, and taken care of with all due respect during the war with the Gauls, to inspire the Romans now in a flourishing condition with the same compassion for the people of Cære, which they had shewn for the republic in her distress, and turning towards the temple of Vesta, implored the protection of the vestals and flamines, who they had worshipped in a devout and religious manner. "Can any one believe, said they, that those who have deserved so well of you, should be hastily reckoned among your enemies without any reason? Or if they had committed any hostilities, that they were not rather to be imputed to madness, than to premeditated design of effacing by fresh injuries all their former good offices, especially as they had been done to persons remarkable for their gratitude; and to draw upon themselves the arms of the Roman people, now flourishing and victorious in war, after they had chosen their friendship in distress? They should not call that a design which was really necessity

and force. It was true the Tarquinienses marching through their country in a hostile manner, though they had desired nothing of them but a free passage, had enticed some of their peasants, who had joined them in plundering the Roman territories, and this crime was charged upon the whole nation. That they were ready to deliver up these offenders, if required, or to punish them, if they should order it to be done. But they conjured them to preserve Cære, formerly the sanctuary of the Roman people, the residence of their priests and receptacle of their religion, free from all the injuries of war, on account of the reception given to their vestals, and the regard they paid their gods." Their past services prevailed on the Roman people more than their present arguments, to forget rather the evil than the good which they had done. For this reason the Cærites were admitted to a treaty, and it was agreed that the truce which was granted them for a hundred years, should be registered among the decrees of the senate. Upon this the fury of the war was turned against the Falisci, who had been guilty of the same crime, but they could no where be found; so that after they had ravaged their lands, without attempting to storm their towns, the legions were brought back to Rome, and the rest of the year was spent in repairing the walls and towers. The temple of Apollo was likewise consecrated.

XXI. About the end of the year, the comitia for the election of consuls was broken off by a dispute between the senate and people; the tribunes being resolved not to allow the comitia to be held, unless they would proceed according to the Licinian law, and the dictator being absolutely determined rather to abolish the consulship in the republic, than to make it common both to patricians and plebeians. These quarrels occasioned the election to be put off, till the dictator's office expired, when the government fell into an interregnum. And these magistrates found the commons bitterly enraged against the senate, and they continued their disputes till the eleventh interrex was appointed. The tribunes strenuously insisted upon the execution of the Licinian law, but the people were more sensibly affected with the interest of their debts, which overwhelmed them, and complaints of private grievances broke out amidst their struggles for public privileges. The senate, tired out with these delays, ordered L. Cornelius Scipio, the interrex, for the sake of peace, to proceed according to the Licinian law in the comitia for the election of consuls. P. Valerius Poplicola was advanced to that dignity, and C. Marcius Rutilius was given him for his colleague. While their minds were

thus disposed to concord, the new consuls set about the lowering the interest of money, which seemed to be an obstruction to their re-union. They considered the payment of the people's debts as a public concern, and created five men, whom they called bankers (*a*), from their management of the public money. These men discharged their trust with so much probity and care, that they deserved to have their names transmitted to posterity with honour in every history and record. They were C. Duilius, P. Decius Mus, M. Papirius, Q. Publilius, and Ti. Æmilius. Notwithstanding it was a matter of difficulty to manage an affair which commonly bears hard upon both parties, but always upon one; yet they executed their commission with great moderation in other respects; and though they advanced the public money upon that occasion, it was of no great detriment to the state. For those who had suffered their debts to rise to a great extent, and themselves to be overrun with arrears, more out of sloth than want of ability to pay, had tables erected in the forum with money out of the treasury, and either satisfied their creditors from these funds, upon their first giving security to the people, or were obliged to give up their effects at a just appraisement. By this means vast sums of debt were paid off, not only without injury to any body, but also without the complaints of either party. Soon after a report was spread that the twelve nations of Hetruria had entered into a confederacy against the republic, and this groundless alarm obliged the senate to nominate a dictator. C. Julius appointed in the camp, for the decree of the senate was sent thither to the consuls, and L. Æmilius was given him for general of the horse. But after all this precaution, every thing remained quiet abroad.

XXII. But at home, while the dictator attempted to have two patricians raised to the consulship, the government fell into an interregnum. The two interreges, C. Sulpicius and M. Fabius, had interest to carry this point which the dictator had undertaken in vain, the commons being now more pliable in consideration of the late relief that had been given to debtors; so that C. Sulpicius Pæticus, who had been the first interrex, and T. Quinctius Pennus, were advanced to the consulate. Some authors give the name of Cæso, and others of Caius to this Quinctius. Both of them took the field, the latter marched against the Falisci, and the former against the Tarquinienses; but as the enemy did not venture a battle, they waged war rather against the country than the inhabitants, by putting every thing there to fire and sword. Those devastations, like a slow consumption, gradually overcame their obstinacy; so that they first applied for a truce to the con-



suls, and afterwards with their consent to the senate, who granted them one for forty years. The state being thus delivered from two wars at the same time, during this respite from arms, the senate had thoughts of holding a census, because by the payment of debts many estates had changed their owners. But when they appointed the comitia to meet for the election of censors, C. Marcius Rutilus, the first plebeian who had attained to the dignity of a dictator, offering himself a candidate for the censorship, set the two orders at variance. He seemed indeed to have timed his affair ill, because both the consuls happened to be patricians that year, and declared they would have no regard to him at the election. But by his resolution he succeeded, being supported by the tribunes, who exerted their utmost efforts to recover their right, which they had lost in the comitia for the election of consuls. Besides, as the merit of Marcius qualified him for the highest dignities, the commons were desirous that the same man who had opened the way to the dictatorship, should pave the way to the censorship to those of his own order. Nor did they change their sentiments at the election, for Marcius was chosen censor in conjunction with Manlius Cnæus. M. Fabius was likewise this year created dictator, not that they were alarmed with any wars, but to prevent the Licinian law from taking place at the comitia for the election of consuls. He took Q. Servilius for his general of the horse; but the dictatorship gave no more advantage to the combination of the senators in the comitia for the election of consuls, than it had done to them in that for the election of censors.

XXIII. They gave M. Popillius Lænas, a plebeian, as colleague to L. Cornelius Scipio, a patrician, and good fortune made the former more illustrious than the latter. For upon the news that a numerous army of the Gauls had pitched their camp in the Latin territory, as Scipio lay dangerously ill, the management of that war was given by an extraordinary commission to Popillius. He levied an army with the utmost dispatch: for he ordered all the young men to rendezvous in arms at the temple of Mars, without the gate Capena, and the quæstors to bring the military standards (*a*) out of the treasury to the same place. But after completing four legions, he gave the remainder to P. Valerius the prætor, and advised the senate to raise another army to secure the republic against the uncertain events of the war. When he had got every thing ready for his expedition, and taken all necessary precautions, he marched against the enemy. And that he might know their strength, before he should risk a battle, he began to intrench himself on a rising ground as near as he could.

to the enemy. The Gauls, being naturally hot and eager to engage, no sooner perceived the Roman eagles at a distance, than they immediately drew up their army in battalia, resolved to fight. But when they observed that the Romans did not venture down into the plain, and were secured not only by an eminence, but also intrenchments, thinking they were struck with terror, and that it was a proper time to attack them, while they were very busy at their works, they advanced with a great shout, and fell upon them. Yet the Romans did not interrupt their works, for the triarii were employed in them, while the principes and hastati, who stood in arms to cover them, engaged the enemy. Besides their valour, they likewise had great advantage from their situation; for their darts and javelins were not like those thrown on a level, which commonly do no execution; but being poised by their own weight, stuck fast wherever they lighted. So that the Gauls, overloaded with these weapons, which either pierced their bodies, or stuck fast in their shields, halted, after they had run almost up hill, and were for some time in a doubt whether to advance or retire. But as this halt abated their courage, and encreased that of the enemy, they were repulsed, and tumbled down the hill one over another, making more havoc of their own men than the enemy did; for in this precipitate rout more were trodden to death than fell by the sword.

XXIV. The victory was yet uncertain, because the Romans had another body to encounter, after they were come down into the plain. For the number of the Gauls was so great, that it made them insensible of such an inconsiderable loss, and therefore, as if a new army had started up, fresh troops advanced, and fell upon the victorious enemy. The Romans checked their ardour, and stood in their posts, both as they were obliged to engage again after they were weary with fighting, and the consul, having exposed himself inconsiderately in the front, had his left shoulder almost run through with a javelin (*a*), and retired a little out of the battle. This very delay hindered the Romans from pushing their victory, till the consul having bound up his wound, returned to the foremost ranks, and said, "Fellow-soldiers, why do you stand still? You have not to do with the Latines and Sabines, who, after you have conquered them by your arms, forget their enmity, and become your friends. We have drawn our swords against wild beasts, and we must either drink their blood, or give them our own. You have repulsed these barbarians from your camp; you have tumbled them backwards down the hill, and you now stand upon the bodies of the enemy.

slaughtered by you. Deluge the valley with the same blood with which you have stained the mountains. Do not expect they will fly, while you stand still. You must advance, and charge them boldly." Animated by these arguments, they repulsed the front rank of the Gauls, and drawing themselves up in the form of a wedge (*b*), penetrated even to their centre. The barbarians fell into disorder, and having no distinct orders or general to command, turned their arms against their fellow-soldiers. Being scattered through the fields, they fled even beyond their own camp, and retired to the top of mount Alba, which was the highest hill in their view. The consul did not pursue them beyond their camp, because his wound pained him; and being unwilling to expose his men, already tired with fighting, to new fatigue, as the enemy had gained the rising ground, he pursued them no farther. All the plunder of their camp he gave to his soldiers, and then led back his victorious army to Rome, enriched with the spoils of the Gauls. The consul's wound made his triumph to be delayed for some time. The same reason made the senate desire to have a dictator to hold the comitia during the indisposition of the present consuls. L. Furius Camillus was the person appointed; he chose P. Cornelius Scipio for his general of horse, and restored the consulship to the patricians. For this service, by the vigorous efforts of the senate, he himself was chosen consul, and nominated Ap. Claudius Crassus to be his colleague.

XXV. Before the new consuls entered upon their office, Popilius triumphed over the Gauls, to the great satisfaction of the people who muttered (*a*), and asked, if there was any occasion to repent of having chosen a plebeian consul. At the same time they upbraided Camillus, who, for trampling the Licinian law under foot, had got the reward of the consulship, dishonoured no less by his seeking of it, whilst by his being invested with the dictatorial power he conferred it on himself, than for the injury thereby done to the commons. This year was remarkable for many troubles. The Gauls, who had retired to the hills of Alba, not being able to bear the severities of winter, came down, and ravaged the plains and sea-coast at discretion. At the same time a fleet of Greeks (*b*) infested the sea, and plundered the coast of Antium, and the country of the Laurentines, as far as the mouth of the Tiber. It happened that these two sorts of robbers came to a battle, after which both retired, the Gauls to their camp, and the Greeks to their ships, without knowing whether they should look upon themselves as conquerors or conquered. But what

alarmed the Romans most, was a diet which the Latine nations held at the grove of Ferentina, and the positive answer they gave to the Romans, when they demanded their contingent troops, "That they should cease to command those whose assistance they wanted, and that the Latines would rather fight for their own liberty than to establish the dominion of another nation." The senate being uneasy at the revolt of their allies, at a time when they were engaged in two foreign wars, resolved to restrain those by fear, whom faith could not keep to their duty, and for that purpose, ordered the consuls to exert the utmost stretch of their power in raising the levies, because they were obliged to depend entirely upon citizens, since their allies had abandoned them. They are said to have formed of the youth both of the city and country ten legions, consisting each of four thousand two hundred foot, and three hundred horse. And at this day, if any foreign invasion should happen, the power of the Roman people, which the world can scarce contain, were it united all together, could hardly raise such a numerous army in so short a time (*c*). So true it is, that we have only increased our riches and luxury, which are the only things we study to increase. Among the melancholy events of this year, we may reckon the death of the consul App. Claudius, who died as he was making preparations for the war. The government fell into the hands of Camillus, and as he was the only surviving consul, the fathers, either out of respect to his excellent qualities, which ought not to have been subjected to an absolute command, or because his name was a very good omen in a war with the Gauls, did not think it decent to appoint a dictator. He left two legions to guard the city, and having divided the other eight with the prætor L. Pinarius, ordered him to defend the sea-coast, and to hinder the Greeks from landing, while he himself, being animated by his father's bravery, takes the management of the war with the Gauls without casting of lots. After he came down into the Pomptin dominions, he chose a convenient place for encamping his troops, and being unwilling to come to a pitched battle with them in the plains, by preventing them from pillaging the country, he thought an enemy who were obliged to live upon plunder, would be sufficiently tamed.

XXVI. While both armies lay unactive in their camps, a Gaul, remarkable for his gigantic stature, and the splendour of his arms appeared between them, and after he had struck his lance upon his buckler, to enjoin silence, challenged, by an interpreter, the bravest man among the Romans to fight him in single combat. Upon this, M. Valerius, a legionary tribune and young man, think-

ing to gain as much glory as T. Manlius had done, after asking the consul's leave, advanced to engage him. The interposition of the gods made the combat between these two champions less illustrious. For just as Valerius was preparing to engage, a raven all of a sudden perching upon his helmet, turned against his rival. He received this omen at first with joy, as coming from heaven, and then besought the "god or goddess, who had sent the bird, graciously to assist him." And it is surprising to tell how the raven not only kept its post, but as often as the combatants engaged, raising itself on its wings, struck the Gaul in his face and eyes with his beak and claws, till at last being blinded, confused, and terrified at such an uncommon prodigy, he was slain by Valerius. Then the raven mounted out of sight, and flew toward the east. Hitherto both armies had remained quiet in their post, but as soon as the tribune began to strip the dead champion's body, the sentries of the Gauls advanced to cover it, and the Romans ran faster to assist their champion. The fight having first begun about the dead body of the Gaul, a smart engagement quickly ensued, for the dispute was no longer between some companies of the advanced guard, but both armies hurried to encounter each other. Camillus encouraged his men who were in high spirits on account of the victory gained by their tribune, and the favour and assistance given them of the gods, and pointing to Valerius, adorned with the spoils of the Gaul, said, "Fellow-soldiers, imitate this champion, and lay numbers of the Gauls dead on the ground round their champion." Both gods and men exerted themselves in this battle, and the Gauls behaved in such a manner, that the victory was not long dubious; such a deep impression had the fate of two soldiers made on the minds of both armies. The skirmish between the advanced guards, which drew out the rest of the troops, had been bloody, but the Gauls, who came after, fled before they were within the reach of a dart. They dispersed at first through the country of the Volsci, and the plains of Falernum, and afterwards withdrew into Apulia, and the coasts of the lower sea (*a*). After this, the consul having assembled his soldiers, highly commended the tribune, and presented him with a crown of gold, and ten oxen. He was then ordered himself to defend the sea-coasts, and for that purpose he joined his camp to that of the prætor. But when he saw that the war was spun out by the slowness of the Greeks who had declined to venture a battle, with consent of the senate, he named T. Manlius Torquatus dictator, to preside at the comitia. He appointed A. Cornélius Cossus for his general of the horse, and having assembled the comitia, with

the greatest approbation of the people, declared M. Valerius Corvus consul, for that was his surname ever after, though he was the rival of his own glory, absent at that time, and but twenty-three years of age. They gave Corvus for his colleague, M. Popilius Lænas a plebeian who had been thrice consul before. Camillus gained no considerable victory over the Greeks, for they were not accustomed to fight by land, nor the Romans by sea. At last, being hindered from coming ashore, and wanting water and other necessary provisions, they left Italy. But to what particular nation or people this fleet belonged there is no certainty. I am most inclined to believe that they were the tyrants of Sicily; for the farther Greece being at that time tired out with civil wars, dreaded the power of the Macedonians (*a*).

XXVII. After the armies were disbanded, when peace was established at home and abroad, and the orders of the state reconciled to one another, that their prosperity might not be too great, the city was distressed by a plague, which obliged the senate to order the decemvirs to consult the sybilline books, and by their advice the ceremony of the lectisternium was performed. This year the Antiates sent a colony to Satricum, and rebuilt that city which the Latines had destroyed. And a treaty was concluded at Rome with the ambassadors of the Carthaginians, who came to demand an alliance and friendship with the Romans. The republic enjoyed the same tranquillity during the consulate of T. M. Torquatus and C. Plautius, only the interest of money was reduced from one to one half per cent, and debtors were allowed to discharge their debts within three years, by paying one fourth presently, and one fourth each year after. And though by this regulation, a part of the people suffered, yet the senate shewed more regard to public credit, than to the grievances of particular persons. But the greatest ease to the commons was, that no taxes were imposed upon them nor levies raised. Three years after Satricum had been rebuilt by the Volsci, M. Valerius Corvus made consul a second time with C. Pætelius, upon receiving intelligence from Latium, that deputies from Antium were going round all the Latine cantons to excite them to take arms against the Romans, was ordered to march against the Volsci before the enemy should be reinforced, and accordingly he advanced with his army to Satricum. The Antiates and the other nations of the Volsci met him there with the forces which they had levied beforehand, in case the Romans should make any motions, and as their minds were enflamed against one another by hatred of long standing, came immediately to an engagement. But as the Volsci were more prone

to revolt, than brave in battle, they were defeated and fled in confusion to the walls of Satricum, and not thinking themselves safe there, the city being invested and upon the point of being taken by scale, four thousand soldiers, besides a number of unarmed men, surrendered to the conqueror. The town was burnt and demolished; only the temple of mother Matuta (*a*) was spared. All the booty was given to the soldiers. The four thousand men who surrendered, were not reckoned a part of it, but were bound and led before the chariot of the consul, when he entered Rome in triumph, and afterwards sold by him and the money put into the public treasury. Some authors think that the multitude thus sold, were captive bondmen, and really it seems more probable, than that they should sell soldiers who had surrendered themselves.

XXVIII. The following consuls were M. Fabius Dorso and Ser. Sulpicius Camerinus. A war broke out with the Aurunci, which took its rise from their making an irruption into the Roman territories. The senate, suspecting the hostilities committed by this single nation to be a conspiracy of the whole Latine states, and as if all Latium had been up in arms, created L. Furius dictator, who named Cn. Manlius Capitolinus to be his general of horse. After proclaiming a vacation of all the courts of justice, which was only done in cases of imminent danger, the dictator raised the levies without exemption, and marched the legions with all possible dispatch against the enemy, who discovering more of the spirit of robbers than of enemies, were routed in the first engagement. But as they had been the aggressors, and had not declined battle, the dictator thought he ought to have recourse to the assistance of the gods, and in the heat of the battle, vowed a temple to Juno Moneta (*a*). Being charged with the performance of the same, when he returned conqueror to Rome, he resigned his office. Whereupon the senate appointed duumvirs to see that this temple should be built suitable to the power and grandeur of the Roman people. The place marked out for it was on the capitol hill, in the very area where the house of M. Manlius Capitolinus had stood. The consuls employed the army of the dictator against the Volsci, and falling upon them unawares, took Sora from the enemy (*b*). In the consulate of C. Marcius Rutilus for the third time, and T. Manlius Torquatus for the second time, a year after it had been vowed, the temple of Moneta was dedicated. Immediately after the consecration, there followed a prodigy like to that which had formerly happened on mount Alba. For it both rained stones, and the day seemed to be turned into night. Having consulted the Sibylline books, as the people were

full of superstitious fears, the senate thought it proper to chuse a dictator, on account of instituting proper festivals. P. Valerius Poplicola was the person pitched upon, and Q. Fabius Ambustus was his general of horse; and he was not satisfied with obliging the Roman tribes to go to the temples, and make their supplications, but likewise the neighbouring nations, fixing the particular day and order in which each of them should pay their devotions. It is said, that severe sentences were this year passed by the people against the usurers, who were prosecuted by the ædiles for their extortion: and the government fell into an interregnum, though no remarkable reason is assigned for it. After the expiration of this magistracy, M. Valerius Corvus, and A. Cornelius Cossus, both patricians, were elected consuls, which seems to have been the design of this interregnum.

XXIX. I am now going to give an account of more considerable wars, both with respect to the strength of the enemy, the distance of the countries which were the scene of them, and their duration; for this very year a war commenced with the Samnites, a nation both powerful and warlike. After it had been carried on for some time with various success, Pyrrhus became the enemy of Rome, and to him succeeded the Carthaginians. What a prodigious series of difficulties were to be surmounted, and how oft hath this republic been brought into the utmost danger, before its empire could be raised to that pitch of greatness which can scarcely be supported! But the ground of this rupture between the Samnites and Romans is not to be sought for amongst themselves, for they were then friends and allies, but took its rise from foreigners. As the Samnites were superior to the Sidicini in strength (*a*), they made war unjustly upon them, and the latter being unable to defend themselves, had recourse to the Campanians, whose power they thought sufficient to protect them. But this nation gave its allies little more than the bare name of assistance, for being a people enervated by luxury, they were defeated by the Samnites, who were inured to arms, in the country of the Sidicini, and drew upon themselves the whole stress of the war: for the enemy, thinking no more of the Sidicini, fell upon the Campanians, their protectors, over whom they expected to gain as easy a victory, and more glory and plunder. After they had secured mount (*b*) Tifata, which overlooks Capua, with a strong garrison, they marched down into the plain which lies between that hill and the city, in a square battalion. There they engaged a second time, but the Capuans were routed, and driven within the walls of their city. Having lost the flower of



their youth, and seeing no prospect of relief near them, they were obliged to implore the assistance of the Romans.

XXX. When their ambassadors were admitted into the senate, they spoke much to this purpose: "The people of Campania, conscript fathers, have sent us deputies to you, to implore your assistance for the present, and your friendship for ever. Had we courted your alliance in our prosperity, though it would have begun sooner, yet it would have been held by weaker ties. For as we would remember, that we had at that time treated with you as equals, we should, perhaps, be no less your friends than we now are, but not so submissive to you, nor so much at your devotion. Whereas, endeared by pity and compassion, and protected by you in our distress, we must retain a grateful sense of the kindness done us, that we may not be deemed ungrateful and unworthy the assistance both of gods and men. And really, that the Samnites were your friends and allies before us, we do not imagine a sufficient reason why we should not be received into your friendship, but only that they should have the precedence in point of time and degree of honour. For you did not, by your treaty with that people, engage yourselves not to contract new alliances with any other nation. A desire of becoming your friends hath always been reckoned by you a sufficient reason to grant your friendship to those that sought it. And though the present condition of us Campanians does not allow us to speak magnificently of ourselves, yet as we are inferior to no nation but Rome for the grandeur of our city and the fruitfulness of our dominions, our being received into your friendship will, we persuade ourselves, be no small accession to your power in its present flourishing condition. Besides, whenever the Æqui and Volsci, your eternal enemies, shall make future attempts against you, we will be ready to fall on their backs; and what you shall have done first for our safety, we will always do for your glory and empire. And when you shall have subdued those nations between us and you, which your courage and good fortune promise will be effected in a short time, your dominions will extend in one continued tract even to us. But at present it is a very hard and lamentable case to own what our hard fortune obliges us to confess. Conscript fathers, we are reduced to that pass, that we must either become subject to our friends or our enemies. If you defend us, we will be yours; if you forsake us, we must submit to the Samnites. Consider therefore, whether you would rather have Capua and all Campania as an addition to your strength, or to that of the Samnites. It is reasonable, Romans, that your

compassion should extend to all nations in distress, but especially to those who have been reduced to that necessity by assisting, even beyond their strength, their neighbours, who implored their aid. Though we fought in appearance for the Sidicini, yet it was in reality for ourselves, when we saw them attacked by the Samnites, and that the flame, after consuming them, would pass over to us. The Samnites do not come to attack us, because they are sorry that we have done them an injury, but because they are glad that we have furnished them with a pretext to fall upon us. If it was only a desire of revenge, and not an opportunity of gratifying their ambition, which spurred them on, would they not have been contented with destroying our legions first in the country of the Sidicini, and afterwards in Campania itself? What resentment is so unrelenting which the blood shed in those two battles cannot satiate? Besides, our lands are pillaged, numbers of men and cattle are carried off by them, our farm-houses are burned and demolished, and every thing destroyed by fire and sword. Were not these calamities sufficient to gratify their resentment? No! their ambition must be gratified too. It is that hurries them on to lay siege to Capua, and they will either destroy that city, so distinguished for its beauty, or possess it themselves. But do you, Romans, make yourselves masters of it by your friendly behaviour, rather than suffer them to seize it by violence and injustice. I now address a people who use not to decline entering into a war, if it is just, yet if you only make a shew of assisting us, I do not suppose you will have any occasion to use arms. The contempt of the Samnites hath reached unto us, but extends not to you who are above it. For this reason, Romans, the bare shadow of your assistance is able to protect us, and for the future whatever we shall possess, and whatever our condition shall be, we shall reckon every thing we have to be yours. For you we will cultivate the land of Campania, and for you we will inhabit the city of Capua. We shall esteem you among the number of our founders, our parents, and our gods. None of your colonies shall exceed us in obedience and fidelity. Give us some sign, then, conscript fathers, that you take us under your divine protection; give us reason to hope that Capua shall be saved by your means? What prodigious crowds of people of all ranks do you imagine attended us, when we set out from thence on our journey? What vows did they make? what floods of tears did they shed? with what impatience do the senate and people of Campania, our wives and children, wait for our return? I am certain that the whole inhabitants of the city are

standing at the gates, looking towards the road which leads from Rome, under the greatest anxiety and concern to know the answer which you shall order us to carry back. A favourable one will carry them safety, victory, liberty and life. But I shudder to think, what consternation the contrary will occasion. For this reason, you must come to a resolution, that we shall be your friends and allies, or be no people at all."

XXXI. After the deputies were withdrawn, the senate took the message into their consideration, and though it appeared to many of the members that Capua was the greatest and richest city of Italy, and its land, being very fruitful and bordering upon the sea, would serve as a granary to the Roman people in times of scarcity, yet a regard to treaties prevailed over all these considerations of interest, and the consul, by order of the senate, returned them this answer, "the senate of Rome, Campanians, think you worthy of their assistance; but it is equitable to enter into friendship with you in such a manner, as not to violate treaties and alliances of an older standing. The Samnites are our allies, and for that reason, we absolutely refuse to take arms against them; this would be more offensive to the gods, than to men. But we will, in conformity to divine and human laws, send deputies to the Samnites our friends and allies to intreat them to put a stop to their hostilities." Upon this, the chief of the ambassadors, agreeably to the powers with which they were vested, declared, "since you Romans refuse to defend our property, against the violence and injustice of our enemies, by open force, you will at least defend your own. For this reason, conscript fathers, we now surrender into the hands of the Roman people the Campanians and the city of Capua, their lands, the temples of their gods, and all that belongs to them whether sacred or profane. What miseries we shall suffer for the future, we shall suffer as your subjects and vassals." After he had said this, all the deputies fell prostrate on their knees in the porch of the senate-house, and stretching out their hands to the consuls, burst out into a flood of tears. The fathers were deeply affected at this surprising vicissitude of human affairs, when they saw a people so remarkable for luxury, pride, and opulence, that their neighbours had implored their assistance, now dispirited to such a degree, as to surrender themselves and all that belonged to them into the hands of strangers. They then thought, they were obliged in honour not to betray a people who had surrendered themselves into their hands, and thought that the Samnites would act an unfair part, if they should commit any hostilities against a city and territory which was become, by

donation, the property of the Roman people. Wherefore they determined to send ambassadors immediately to the Samnites; and their instructions were to represent to them, "the earnest application the Campanians had made to Rome, the strict regard which the senate in their answer had shewed to their alliance with the Samnites, and lastly the surrender which they had made of their whole state to the republic. They were also instructed to intreat them, on account of the old friendship and alliance between the two nations, to spare a people who had surrendered themselves to them, and not to invade a territory which was become Roman. But if the Samnites were not to be prevailed on by these gentle methods, they should give them notice in the name of the senate and people of Rome to withdraw from the city Capua and the territory of Campania." When the deputies had made this representation to the senate of Samnium, they received a very haughty answer, for the Samnites not only declared that they would continue the war, but their magistrates coming out of the senate house called the commanders of their troops, in presence of the ambassadors, and ordered them to go instantly and ravage Campania.

XXXII. When the deputies returned to Rome, all other business was laid aside, the senate sent *feciales* to the Samnites to demand satisfaction, and upon their refusing to grant it, declared war against them in due form; resolving to lay the matter before the people with the first convenience. In consequence of a resolution of the commons, the two consuls set out from the city at the head of two armies. Valerius marched into Campania, and posted himself on mount Gaurus (*a*). Cornelius marched into Samnium and encamped at Saticula (*b*). The Samnite legions came to oppose Valerius first, for they thought the whole stress of the war would lie there. Besides, they were fired with resentment against the Campanians, because they had been as ready to assist their neighbours, as to demand aid for themselves. But when they saw the Roman camp, they all earnestly pressed their generals to give them the signal to battle, and assured them that the succours, which the Romans had brought the Campanians, should meet with the same fate with those which the latter had sent to the Sidicini. Valerius after spending a few days in slight skirmishing with the enemy, in order to try their courage and manner of fighting, gave the signal to battle, and encouraged his men briefly, "not to be afraid of a new war and a new enemy." He told them, "that the further they carried their arms from Rome, the nations had less courage. They should not judge of the va-

four of the Samnites by their defeating the Sidicini and Campanians. That however brave the contending parties might be, one of them necessarily must be defeated by the other. But the truth was, the Campanians were rather enervated by an excess of luxury and effeminacy, than overcome by the bravery of their enemies. What comparison could be made between two battles gained by the Samnites in so many ages, and the series of victories obtained by the Romans, who, since the foundation of their city, might reckon almost as many triumphs as years? Who had subdued by force of arms all the nations round them, the Sabines, Hetrurians, Latines, Hernici, Æqui, Volsci and Aurunci? Who had defeated the Gauls in so many battles, and after routing the Greeks (*c*), obliged them to retire to their ships and put to sea? As every man ought to march to battle relying on his own bravery and renown in war, he ought likewise to consider under whose conduct and auspices he is to engage. Whether his general be a man who only makes pompous harangues, and is brave in words, but has no experience in military affairs? Or one who knows to handle his arms, advance boldly at the head of his troops, and expose himself in the hottest of the battle? Romans, said he, I do not desire you to regard my words, but my actions, and not only to learn of me military discipline, but to follow my example. It was not by faction and caballing, practices usual among noblemen, but by this right-hand, I have thrice obtained the consulship, and acquired the highest glory. There was a time, when it might have been said to me, you are a patrician, descended from the deliverers of your country, and your family enjoyed the consulship the same year the office was founded in this city. But now the consulate is open to us patricians and to you plebeians without distinction, and is not as formerly the reward of birth but of merit. Even you, fellow soldiers, may aspire to the highest honours and preferments. Though you Romans in concert with the gods gave me the surname of Corvus, yet I have not forgot that of Poplicola, the ancient surname of our family. I always honoured and do honour the Roman people in peace and war, both in a private station, and when I bore offices of state whether small or great. My zeal for your interest was equal when military tribune and consul, and in this disposition I have continued steady throughout the course of all my consulates. As to what now remains, do ye in conjunction with me, by the assistance of the gods, strive to gain the honours of a new and complete triumph over the Samnites."

XXXIII. Never did a general live more familiarly with his men, for he shared all manner of duty with the meanest soldiers. Besides, he always made one at their military diversions, where equals contended with one another in wrestling and running, and whether victorious or vanquished in these exercises, he behaved with the greatest courtesy and ease, never changed countenance, nor did he disdain to enter the lists with any antagonist that offered himself to take him up. He was liberal in bestowing favours according to the circumstances of times and persons, and in his conversation, shewed no less regard to the liberty of others, than to the maintaining his own dignity. And lastly, he discharged all offices with the same popular arts by which he had acquired them, the surest method to win the affections of the people. The whole army animated by the exhortations of their general, with wonderful cheerfulness marched out of their camp. Never did two armies engage with more equal hopes and strength, or with more confidence in their own bravery, and less contempt of their enemy. The late achievements of the Samnites, and the two victories which they had gained a few days before, inspired them with high spirits. On the other hand the Romans were animated by the triumphs of four hundred years, and a continual series of victories which commenced with their city. Each army stood in awe of an enemy they had never engaged with, and the battle which ensued is a proof of the extraordinary courage of both. For they fought with so much resolution, that for a long time the victory did not incline to either side. Upon this, the consul thought he ought to intimidate an enemy, he could not conquer by force, and he attempted to break their lines by ordering his horse to fall upon them. But upon seeing them cooped up in so narrow a place, and in such confusion, that they endeavoured in vain to wheel, and were unable to open themselves a way through the enemy, he rode back to the van-guard of the legions, and alighting off his horse, said to the foot, "It is you, fellow soldiers, who must do the business. Come, follow my example, and as you shall see me, sword in hand, opening a passage through the enemy, wherever I charge, do you cut down all that oppose you. You will soon see that ground where these lances stand like a forest, cleared by the slaughter we shall make among the Samnites," He had no sooner said this, but the horse by his order filed off to the wings, and made way for the legions to charge the enemy in the centre. He first began the attack himself, and had the good fortune to cut off the head of the man with whom he

engaged. The soldiers, animated with this sight, began to fight very bravely both on the right and left; and the Samnites, though they received more wounds than they gave, still kept their ground. The battle had lasted a considerable time, many were slain round the Samnite standards, but none of them had fled, so resolute were they to be conquered by death only. Upon this, when the Romans perceived that their strength began to flag, and the day was far spent, they were fired with indignation and encouraged one another to fall upon the enemy with fresh fury. Then indeed the Samnites seemed first to give way, and soon after that to fly: a great number of them was slain, and many were taken prisoners; in short few of them would have escaped alive, if the night had not put an end rather to the victory than to the battle. The Romans confessed that they had never engaged a more stubborn enemy, and when they asked the Samnites what was the first thing that made them fly, after they had made such an obstinate resistance, they answered, "that the eyes of the Romans appeared to them to be on fire, that their looks seemed furious and their countenances enflamed, and that these had struck more terror into them, than any thing else." Nor did they only discover their fear by the manner in which they ended the battle, but also by the precipitate march which they made the next night. For the day following the consul took possession of their camp which the enemy had abandoned, and there he received the compliments of the Campanians, who came in crowds to congratulate him as their deliverer.

XXXIV. But the joy on account of this victory was damped by a terrible disaster, which the army in Samnium had like to have suffered. For the consul Cornelius, having left Saticula, inconsiderately led his army into a forest, beset on all sides by the enemy, and out of which there was but one passage, which lay through a deep valley, nor did he observe the enemy above his head, till it was impossible for him to retreat with safety. While the Samnites waited till the whole army should descend into the bottom of the valley, P. Decius Mus, a legionary tribune observed an eminence in the forest over-looking the enemy's camp, which was indeed difficult to be gained by an army encumbered with their baggage, but where a detachment of light armed men might easily come. Upon which he said to the consul who was in the utmost consternation, "do not you, A. Cornelius, see yonder eminence above the enemy. That is the only source of our hopes and preservation, which the enemy have blindly neglected, if we speedily take possession of it. To effect this, you shall give me

only the two first lines of one legion. And when I shall have gained the top of it, continue your march without any fear, and save yourself and your army. The enemy, being exposed to our darts, will not be able to make any attempt against you, but what must end in their own destruction. As for us, either the good fortune of the Roman people or our own bravery shall disengage us." Being highly commended by the consul, he took his way through the wood with the detachment under his command, and concealed his march so well, that the enemy did not see him till he was nigh the post he was going to seize. This sight surprised the Samnites so much, that all their eyes were turned towards him, the consul had time to gain a safer post, and he to possess himself of the top of the hill. In the mean time the Samnites, after making several motions, sometimes against the one, and sometimes against the other, lost the opportunity of falling upon either, for they could not pursue the consul without passing through the same valley in which the moment before he had been exposed to their darts, nor could they march their army up the hill above them, where Decius was posted. But as their resentment was greater against the latter, who had wrested this convenient opportunity out of their hands, the highness of the place, and the smallness of their number likewise encouraged them to fall upon them; and one while they were for investing the hill with armed men to prevent Decius from rejoining the consul, another they were inclined to open a way for them, that they might attack them when they had marched down into the valley. But before they came to any resolution, night came upon them. Decius at first expected they would attempt to dislodge him, and that he should engage them with advantage from the rising ground. But he was surprised when he found that they neither attacked him, nor yet surrounded him with a moat and rampart, since they were deterred from charging him by the disadvantage of the ground. Upon which he assembled his centurions and addressed them in this manner. "What ignorance and laziness do our enemies discover? How have they obtained a victory over the Sidicini and Campanians? We see their standards moving hither and thither, we observe them sometimes extending themselves, and sometimes crowded together. Though we might have been already surrounded by them, yet no body begins to invest us. We shall really be as indolent as they, if we tarry in this place, after we can conveniently get out of it. Come then with me, and while day-light lasts, let us view the place where the enemy may plant their guards, the avenues through which we may escape!" He



went round all these places in a soldier's habit (*a*), and took his centurions along with him dressed in the same manner, that the enemy might not observe it was the Roman commander who came to view them.

XXXV. After he had posted proper sentinels, he ordered to give the rest of the army a watchword, that as soon as the trumpet had sounded the second watch (*a*) of the night, they should silently return to him with their arms. When they were assembled, according to order, without the least noise, he said, "Fellow-soldiers, you must hear me with silence and without giving your votes by loud acclamations. When I shall have told you my opinion, then you who approve the same, shall move to my right, for I will be determined by the majority. Hear now what I have to say. It was not by flight that we came hither, nor were we left here to be surrounded by the enemy for want of courage. Your valour brought you to this post, and it is by that alone you must make your way back. By coming hither you have saved a fine Roman army, by breaking out again, do you save yourselves. Such a small number of brave fellows, who have saved so many legions by their intrepidity, will need no assistance from others to save themselves. We have to do with an enemy, who through their negligence lost an opportunity yesterday of destroying all our army to a man; an enemy who did not see this advantageous post above their heads till we had seized it. They have not with all their numerous army prevented us from gaining this eminence, nor have they, since we were in possession of it, raised any works against us, though they had so much day light remaining. You must surprise them when asleep, after you have eluded them so when awake and having their eyes open. Besides, necessity obliges you to it. For such is the situation of your affairs, that I may be said rather to tell you the necessity you are under, than to propose any advice of my own. For it cannot be a question now, whether you ought to stay here, or march away from this place, seeing fortune hath left you nothing but your arms and courage to use them. We must die by hunger and thirst, if we dread the sword of the enemy more than becomes brave men and Romans. The only way to save ourselves, is to cut our way through them and march off; and this we must do either by day or night, The time we must choose can admit of no dispute, for if we shall wait till day-light, what hopes can we have, but the enemy will enclose us with a rampart and ditch? You see they have already beset the hill and posted their troops round us on all sides. But if the night is the most convenient time for us to break out, as it

really is, then certainly this is the most seasonable hour. You assembled at the sound of the second watch, when men are buried in the deepest sleep. You will make your way through the sleeping battalions, and pass along silently undiscovered by them, or you will be ready to frighten them with your shouts, if they shall observe you. Only follow me, as you have hitherto done; I will follow the same good fortune which conducted us hither. Let those who approve what I have said, pass over as quickly as they can to the right."

XXXVI. They all passed over to a man, and followed Decius through these avenues where the enemies had neglected to post guards. They had already passed through one half of the camp, when a soldier in climbing over the guards that lay fast asleep, struck against the buckler of a Samnite, and with the noise awakened him. Upon this the sentinel pushed his comrade who lay next to him, and they two roused others, not knowing whether they were friends or foes, who had given this alarm, or whether Decius's party was breaking out, or if the consul had taken their camp. Decius finding they were discovered, ordered his men to give a great shout, and as the enemy were benumbed with sleep, he quite stunned them with fear. To such a degree were they damped that they could not run quickly to their arms, oppose the passage of the Romans, nor dare to pursue them. During this terror and confusion, Decius's party having slain the sentinels they found in their way, was got nigh to the consul's camp. It was not yet day, and as they seemed to be out of the reach of danger, Decius said, fellow soldiers, you have behaved like Romans. All ages will celebrate your march and your retreat. But sunshine and day-light will be necessary to display such uncommon virtue in its proper light. You have deserved to make your entry into the camp in a more glorious manner, than in silence and darkness. Let us wait here quietly till day-light." They complied accordingly, and as soon as it was day, they dispatched a courier to the consul, the camp was transported with the utmost joy, and when the news was communicated to the troops that those men were returned safe, who had exposed themselves to save the lives of the whole army, at the highest peril of their own, every body ran to meet them; they received them with the highest praises and gratulations, and stiled them all in general their deliverers. They extolled Decius to the skies, and returned the highest thanksgivings and praises to their gods. Thus did Decius enter in a triumphant manner into the camp. He marched through the middle of it, surrounded by his party in arms. All

eyes were fixed upon him, and the soldiers paid the same honours to the tribune which they did to the consul. As soon as he was arrived at the general's quarters (*a*), the consul assembled his army by sound of trumpet, and began to give Decius the commendations he deserved, but the tribune himself having interrupted him, he put off the assembly. Decius advised the consul to delay his harangues till another time, and earnestly persuaded him to fall upon the enemy while they were in a consternation with the last night's fright, and dispersed from post to post round the eminence. He told him, he believed that some detachments, which had been sent out after him, were yet wandering through the forest. According to this advice, the consul ordered the legions to arms. They left their camp, and having now a better knowledge of the forest by means of their scouts, they were conducted to the enemy through wider ways than they had before passed. The Samnites, who not expecting to be attacked so briskly by the Romans, were strolling about the fields, and most of them without their arms. And as they could neither rally, take arms, nor retire within their intrenchments, they were first driven in this consternation to their camp, and the guards being routed, the Romans made themselves masters of it. The cries were heard by those Samnites who had been placed round the hill. They were all terrified and fled from their posts, without so much as seeing the enemy. Those whom fear had driven into their lines to the number of thirty thousand were all slain to a man, and their camp plundered.

XXXVII. After this glorious success, the consul having called an assembly, not only harangued (*a*) as he had begun in commendation of Decius, but bestowed upon him additional praises for the late signal service he had done the republic. Besides all other military rewards, he presented him with a crown of gold, an hundred oxen, and a bull of remarkable beauty and whiteness with gilded horns. He assigned the soldiers, who had accompanied Decius, a double quantity of corn, not only for the present, but for their life, and gave each of them an ox and two single tunics. The legions likewise signalized their gratitude to Decius, for they made a crown (*b*) of grass, such as was usually given to him who raised a siege, and put it on his head, amidst the acclamations of the army. His detachment put another crown on him as a mark that he deserved the same honour from them. And thus adorned with these badges of distinction, he sacrificed the bull with the gilded horns to Mars, and distributed the hundred oxen among the men who had been his companions in the expedi-

tion. The rest of the legions likewise made them a present of some pounds of meal and measures (*c*) of wine; and all these honours were attended with general shouts, to shew that the whole army were unanimous in paying them. There was a third battle fought near Suessula, where M. Valerius routed the Samnites who had sent for all the flower of their youth in order to try the last chance of war; couriers were sent in a hurry from Suessula to Capua, and from thence some horse came post to Valerius, the consul, to intreat him to come to their relief. He set out immediately for Suessula, and having left a strong guard with the baggage in his camp, proceeded on his march with the utmost dispatch. When he was not far from the enemy, he chose out a very narrow spot of ground to encamp upon, for he had only brought with him his horse, having left the other beasts of burden and servants behind. Upon this the Samnites put their troops in battalia, in hopes that the Romans would immediately give them battle; but when they saw that they did not march out to meet them, they came up to their camp in order of battle. But when they saw the Roman soldiers on the ramparts, and the spies who were sent out on all sides to view the camp, had reported that it was contracted within a very narrow space, and from thence inferred that the number of the enemy was but small, the whole Samnite army cried out, that they ought to fill up the ditches of the Roman camp, make a breach in the lines, and enter them by force. And they had certainly attempted to do this, if the officers had not restrained the impetuosity of the soldiers. Moreover, as their numbers consumed much provisions, by their continuing before Suessula, and the Romans delaying to give them battle, they began to want all kinds of necessaries. This made them resolve to send out detachments to get provisions in the country, while the Romans were confined within their camp through fear. For they imagined that as they had come without their baggage, and could have no more provisions than every soldier had carried on his shoulders with his arms, they would soon be in want of every thing. Upon which, the consul seeing them dispersed through the country, and a small guard only left to defend their lines, encouraged his men and led them directly to storm their camp, and setting up a great shout, he took it at the first attack. More of the enemy were slain in their tents, than on the ramparts and at the gates. Valerius ordered all the standards which had been taken, to be brought into one place, and leaving two legions to keep and guard the camp, with the strictest orders not to meddle with the plunder before his return, set out with the rest of his

forces in order of battle, and the horse which he had detached before, having surrounded the Samnites who were scattered up and down through the fields, as it were into a net, he made a terrible slaughter of them. For their fright prevented them from observing any signal to rally, neither did they know whether they should return to their camp or fly to a greater distance. And so great was their consternation, that after the action they brought to the consul forty thousand bucklers, not that so great a number of the Samnites were slain, and military standards with those that were taken in the camp to the number of one hundred and seventy. Then Valerius returned to the enemy's camp and granted all the plunder thereof to his men.

XXXVIII. The event of this battle obliged the Falisci who had already made a truce with the Romans to beg a treaty of alliance with them, and made the Latines, who had taken up arms to employ them against the republic, to turn them against the Peligni. Nor was the fame of their victory confined to Italy, for the Carthaginians sent ambassadors to Rome to compliment them on their success, with a crown of gold of twenty-five pounds weight to be set up in the temple of Jupiter Capitolinus. Both the consuls triumphed over the Samnites. Decius walked after them in great pomp, adorned with the crowns he had received, and the soldiers in their rude jests mentioned his name with no less praise than they did those of the consuls. Then the deputies of Capua and Suessula had an audience, and at their earnest request, garrisons were sent to winter in those places to check the incursions of the Samnites. Capua was even at this time pernicious to military discipline: the allurements of all manner of pleasures wherewith it abounded, bewitched the minds of the soldiers and made them forget their native country: and they formed a plot in their winter quarters of seizing Capua for themselves, by committing the same cruelties, which the Campanians had done in taking it from its former possessors. "It would be justice, said they, to turn the example, which they have set us, against themselves. Why should the most fruitful land of Italy, and a city suitable to the soil, be rather possessed by the Campanians, who can neither defend themselves nor their property, than by a victorious army, who have driven the Samnites out of those places with great labour and at the expence of their blood? Or is it reasonable that those, who have surrendered themselves to us, should enjoy this pleasant and fertile country, while we, after all the fatigues of war, are obliged either to struggle with a barren unwholesome soil near Rome, or to live in the city and

languish under the surviving plague of usury which grows upon us every day?" The new consul C. Marcius Rutilus, to whom the province of Campania fell by lot, having left his colleague Q. Servilius at Rome, got information of their designs which they had not communicated to all the garrison, but had talked of in some secret cabal. This general being a person well skilled in government by reason of his great age and experience, was now consul for the fourth time, and had likewise been dictator and censor. Wherefore, when he had made a complete discovery of every thing relating to the plot, by means of the legionary tribunes, he judged it most adviseable to frustrate the impetuosity of the soldiers by indulging them in the hopes of putting their scheme in execution whenever they pleased, and for this reason he spread a report that the garrison should winter in the same towns the next year. For they were quartered in the cities of Campania, and from Capua the design was communicated to the rest of the army. Thus having time given them to bethink themselves, the sedition was prevented from breaking out at this season.

XXXIX. The consul, having taken the field in the summer, resolved, while the Samnites were quiet, to rid his army of these seditious men by discharging them. He told some of them, "that they had served as long as the laws required," others he dismissed "as being worn out with age, or too infirm to do duty." Besides, he first dismissed them one by one, and afterwards sent away whole cohorts upon furloughs, because they had wintered at a distance from their houses and families. He rid himself of many of them, by sending them into different places under pretext of military duty. All these his colleague Servilius and the prætor detained at Rome, by continually starting fresh obstacles to prevent their return. And at first indeed, as they were ignorant of the artifice, they marched home willingly. But afterwards when they saw that those who went first away did not return, and that he discharged no soldiers but such as had wintered in Campania, particularly the authors of the sedition, they were astonished and filled with the strongest fears that their design had taken air, "and they must soon submit to suffer punishment in secret, and be exposed to the cruel and extravagant tyranny of the consuls and senators." Such were the secret discourses of the soldiers in the camp upon observing that the main-springs of their enterprize were broken by the address of the consul. One cohort in particular, which was quartered not far from Anxur (*a*), deserted and posted themselves in a narrow defile, named Latulæ,

between the sea and the mountains, with a design to intercept those whom the consul, as we mentioned above, dismissed under various pretexts. They soon became a powerful body, and wanted nothing but a general to make them a regular army. Then without observing any order, they entered and plundered the Alban territory, pitched their camp at the foot of Alba longa, and fortified it with a rampart. After they had finished their works, they spent the rest of the day in deliberating about the choice of a general. And as they had not sufficient confidence in any of their own number, the question was, "whom they could send for from Rome to command them? What patrician or plebeian would wittingly expose himself to so great danger, or to whom could they in prudence entrust the cause of an army, which was become mad by oppression?" The day following, as they were deliberating upon the same subject, a soldier who had been foraging in the country, said that he had got certain information that T. Quinctius was cultivating a farm in the territory of Tusculum, regardless of Rome and its honours. This man who was a patrician, having been lamed by a wound he received in the foot, and obliged to lay aside the profession of a soldier in which he had behaved with great glory, had resolved to retire to the country and pass the remainder of his life without ambition, and at a distance from the hurry of public business. They no sooner heard his name, than they knew him, and praying that their resolution might prove auspicious, ordered him to be sent for. However they had little hopes that he would consent, and therefore they resolved to use threats and violence. Accordingly they dispatched a party of soldiers on purpose, who entering his rural habitation in the dead of the night, found him fast asleep, and after offering him the command of the army, and threatening him with death, if he refused, without leaving him any other choice, carried him with them to the camp. When he arrived there, they saluted him as general, and while he was surprised at this unexpected affair, they brought him the ensigns of that office, and ordered him to head them to Rome. Accordingly they took up their standards immediately, and following rather their own violent passions than the directions of a general, advanced within eight miles of Rome, in the road since called the Appian way. They would have proceeded directly to the city if they had not been informed that M. Valerius Corvus had been created dictator, and L. Æmilius Marmercinus his general of the horse, and that they were setting out with an army to make head against them.

XL. As soon as the two armies came in sight of one another, and the mutineers knew the Roman arms and standards, the remembrance of their country immediately abated their resentment. They were not yet become so barbarous as to shed the blood of their fellow-citizens; the Romans had known no wars but with foreigners, and their fury had carried them no greater lengths than to make a secession. For this reason the generals and soldiers on both sides desired a conference. Quinctius was tired with bearing arms in defence of his country, and had no inclination to fight against it. Corvus, who had a great affection for all his fellow-citizens, but particularly for the soldiers, and above all others, those of his own army, immediately advanced into the middle space between the two armies. As soon as he appeared, the mutineers, who knew him, shewed no less respect to his person, and listened to him with no less attention than his own men, when he harangued them as follows. "Fellow-soldiers, when I set out from Rome, I prayed to the immortal gods, our common guardians and protectors, and earnestly besought them to grant me the glory of reconciling you to your country, and not conquering you by force of arms. Foreigners have already, and will still afford me sufficient opportunities to signalize my valour in war; the glory I desire from you, is to procure you peace. This is what I earnestly begged of the immortal gods in my prayers, and this you have in your power to grant me, if you do but remember that you are not encamped in Samnium, nor in the territories of the Volsci, but in the dominions of Rome. If you do but consider that these hills, which you behold, belong to your native country, and the army that appears against you is composed of your fellow-citizens; that I am your consul, under whose conduct you routed the Samnite legions twice last year, and twice took their camp by assault. Yes, soldiers, I am that Valerius Corvus, whose noble descent you never felt by his oppressing you, but by doing you many favours; who never was the author of any severe law, nor of any cruel decree of senate inconsistent with your interest, and who in all my military commands have been more severe to myself than to you. And yet, if birth, valour, dignity, and honours, could puff up one with pride, I was born of such noble parents, have given such proofs of personal courage, and had the consulship so young, at the age of three and twenty, that I might have been insolent not only to the people, but even to the senate. Did you hear when I was consul, that I did any action more imperious, or uttered a word more injurious than when I was tribune? I have discharged two consulships since that time in the



same manner, and will behave with the same moderation in my dictatorship, though an office attended with absolute power, not shewing more tender regard to those who fight for their country, than to you, who, I dread to speak it, are its declared enemies. You therefore shall first draw your swords against me, before I draw mine against you. If we must fight, you shall give the signal to battle, you shall set up the first shout and begin the attack. Take a resolution which never entered into the thoughts of your fathers and grandfathers, either when they retired to the sacred mount, or when they posted themselves on the Aventine hill. Do you wait till your mothers and wives come from the city, with their hair dishevelled, to meet you as they formerly did Coriolanus. The legions of the Volsci at that time stopt their fury, because they were commanded by a Roman general, and will not you, who are Romans, desist from an unnatural war? As for you, T. Quinctius, whether you took this command upon you willingly, or were forced to put yourself at their head, if we must fight, do you retire to the rear of the army, it will be more for your honour to fly and to turn your back before your fellow-citizens, than fight against your country. But if you are inclined to peace, you shall stand among the foremost ranks and be the interpreter at this happy conference. Ask conditions that are reasonable and obtain them. Though it would even be better for us to grant you unreasonable ones, than impiously to destroy one another." Then T. Quinctius with tears in his eyes turning to his men, said, "Fellow-soldiers, if I can be of any service to you, I am fitter to procure you a peace, than to lead you to battle. He who addressed himself to you, is not one of the Volsci or Samnites, but a Roman; he is your consul, your general, soldiers, of whose good conduct you have already had proofs: do not then run the risk of receiving a testimony of it against you! The senate had other generals who would have treated you more severely; but they pitched upon him who would shew the greatest lenity to you who were formerly his soldiers, and in whom as being your general, you would put the greatest trust. Even they who are able to conquer, desire peace. What must we do then? Shall we not lay aside our hopes and resentment, which are but deceitful counsellors, and throw ourselves into the hands of a Roman, whose fidelity we are acquainted with?" As these words were followed by a shout of approbation, Quinctius, advancing before the ranks, declared that his soldiers would surrender to the dictator at discretion. He begged him to undertake the cause of these unhappy citizens, and to defend it with the same zeal with

which he used to maintain the interests of the republic. "As to himself, he said, he had no precautions to take, and would confide in his innocence alone. That the soldiers ought to have the same security of the senate, which they had granted to the people once, and a second time to the legions, that their secession might not hereafter be charged upon them to their prejudice." The dictator after commending Quinctius, and encouraging the rest to keep up a good heart, posted to Rome, and by the advice of the fathers, proposed to the people assembled in the Peletin wood, "to pass an act of grace in favour of the soldiers, who had revolted," and earnestly besought them "never to reproach them with their desertion either in jest or earnest." A sacred military law was likewise enacted, "that no soldier's name should be blotted out of the muster roll, but by his own consent," and a clause was added, "that no man who was a military tribune one year, should be a centurion the next." The revolted insisted on passing this law, to avenge themselves on one P. Saloni<sup>us</sup>, who had been for several years alternately a military tribune and first centurion, whom they now called primipilus. The soldiers were enemies to him, because he had always opposed their seditious designs, and would not join those who had deserted from Latulæ. The senate from a regard to this officer refused to pass this law, but Saloni<sup>us</sup> conjured the conscript fathers to have a greater regard to the re-establishment of concord among the citizens than to his honour, and accordingly prevailed upon them to have the bill passed. They made another demand no less extravagant; for they insisted that the pay of the horse, which was then thrice as much as the foot, should be reduced, because they had opposed their revolt.

XLI. Besides these laws, I find in some authors that L. Genucius, tribune of the people, brought in a bill forbidding the lending of money upon interest, and that by another ordinance of the people it was enacted, that no man should be capable of holding the same office again within ten years, or possess two different offices in the same year; and likewise that both the consuls might be chosen from among the plebeians. If these concessions were made to the people, it is plain the strength of the revolted must have been considerable. In other annals I find it recorded, that Valerius was not created dictator, and that this sedition was entirely quelled by the consuls. It is further added, that the rebels were excited to take arms at Rome, and not before their arrival there; that they did not break in the night-time into the rural habitation of T. Quinctius, but into the house of C. Manlius,

whom they seized in order to make him their general; afterwards they marched four miles from the city, where they posted themselves in a fortified place, the proposals for an accommodation were not first made by the commanders, but when both armies had marched out to battle, they all of a sudden saluted one another, and the soldiers, mixing together, began with tears in their eyes to shake hands and to embrace one another; and the consuls, upon seeing their men had no inclination to fight, applied to the senate to make up matters between them. Thus according to ancient historians, nothing is certain but that there was a sedition which was soon appeased. Nevertheless the news of this insurrection, and the dangerous war undertaken against the Samnites, made several nations renounce their alliance with Rome. For besides that for a long time past they could have no dependance upon their treaty with the Latines, the Privernates made a sudden incursion upon Norba and Setia, two Roman colonies in their neighbourhood, and laid waste their lands.

END OF THE SEVENTH BOOK

# THE HISTORY OF TITUS LIVIUS.

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## BOOK EIGHTH.

*The Latines and Campanians revolt, and sending ambassadors to the Roman senate, propose to keep peace with them upon condition they should choose one of their consuls from among the Latines. Their Prætor Annius, after delivering this commission, is killed by falling from the capitol. T. Manlius the consul beheads his own son for fighting with the Latines contrary to his orders, though he had come off victorious. The Romans being hard pressed in battle, P. Decius then Manlius's colleague in the consulship devotes himself to destruction for the army, spurs his horse into the midst of the enemy, and by his death restores victory to the Romans. Latines submit. When T. Manlius returns to the city, none of the youth go to meet him. Minucia, a vestal virgin, condemned for incontinence. The Ausons being subdued, a colony is led to the city of Cales, which was taken from them. The colony Fregellæ likewise planted. Many ladies convicted of practising poison, a great number of them being obliged to drink off their own preparations, die immediately. A law first made against that crime. The Privernates, after their revolt, subdued and admitted to the right of citizens. The inhabitants of Palapolis defeated in battle, and straitened by a blockade, surrender themselves. Q. Publilius the first who has his government prolonged, and obtains the honour of a triumph after the expiration of his consulship. The commons freed from serving for debt, on account of the abominable passion of L. Papirius a creditor, who attempted to abuse C. Publilius his debtor. Upon the return of L. Papirius the dictator from the army to the city, in order to renew the auspices, Q. Fabius, his general of the horse, encouraged by an opportunity of attacking the enemy to advantage, falls upon them, contrary to the dictator's orders and defeats them. Papirius determines to punish Fabius for his disobedience, but he flies to Rome, and though his cause pleaded but little in his behalf, is pardoned at the earnest intercession of the people. This book likewise contains the victories gained by the Romans over the Samnites.*

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I. C. PLAUTIUS the second time, and L. Æmilius Mamercinus, were now consuls; when the Setini and Norbani came to Rome with the news of the revolt of the Privernates, and complaints of the losses they themselves had sustained. Accounts were likewise brought, that an army of the Volsci, conducted by the Antiates, had encamped at Satricum. Both these wars fell to Plautius by lot. He marched first to Privernum, and came immediately to an engagement with the enemy, whom he easily defeated. He took their city and restored it to the inhabitants, after having placed a strong garrison in it. Two thirds of their lands were taken from them. From thence he led his victorious army to Satricum, against the Antiates. There soon ensued a battle

which was very bloody, and fought with great resolution on both sides; and a storm having parted them, before victory had declared for either side, the Romans, not in the least tired out with this doubtful action, prepared to renew the battle the next day. But the Volsci, after reckoning up the men they had lost, had not the same courage to risk themselves a second time. They fled in the night to Antium with as much precipitation, as if they had been defeated, leaving their wounded men and a part of their baggage behind. The consul found a vast quantity of arms among their dead and in their camp, which he dedicated to mother LUS (a). Then he proceeded and laid waste their country quite to the sea-shore. The other consul Æmilius entered the Sabellian (b) territories, but the Samnites neither marched their legions nor pitched any camp to oppose him; but while he ravaged their lands with fire and sword, deputies came from them begging a peace. He referred them to the senate, who granted them an audience, when having laid aside their proud spirits, they requested peace of the Romans, and permission to make war upon the Sidicini. Their envoy represented, "that they had the better plea to ask this, as they had become the allies of the Roman people, when their affairs were in a flourishing condition, and not like the Campanians, in their adversity; and as they were to take up arms against the Sidicini, their own constant enemies, and never the friends of Rome: against a people, who had not, like the Samnites, courted the alliance of the republic in peace, nor like the Campanians sought its assistance in war, and therefore were neither under the dominion nor protection of the Roman people."

II. After Ti. Æmilius, the prætor, had consulted the senate concerning these demands of the Samnites, and the fathers had agreed to renew the treaty with them, the prætor made the following answer to their ambassadors, "It was not the fault of the Romans that the alliance between the two nations had not subsisted inviolably, and as the Samnites were become weary of a war, which they had brought upon themselves by their own fault, they had no objection to the renewing of the former treaty. As to the Sidicini, they did not hinder the Samnites from making either peace or war with them, as they thought fit." As soon as the treaty was concluded, and the ambassadors returned home, the Roman army immediately withdrew out of their country, having received a year's pay and provisions for three months, according to agreement with the consul, in consideration of the truce he had granted them till their deputies should return. The Samnites turned these forces against the Sidicini, which they had

made use of against the Romans, and were in great hopes of making themselves quickly masters of their city. Then the Sidicini first began to propose the surrendering themselves to the Romans; but the fathers refused their proposal as coming too late, and forced from them by the utmost necessity; so that they had recourse to the Latines, who had already taken up arms of their own accord. The Campanians likewise being more sensible of the injuries done them by the Samnites, than the services they had received from the Romans, followed their example. A vast army, composed of so many allies, under the command of a Latine general, having entered the territory of the Samnites, did them more damage by devastations than in battle. But though the Latines had the better in some skirmishes, they retired of their own accord out of the country, that they might not be obliged to engage with them too often. This gave the Samnites time to send ambassadors to Rome, who being admitted into the senate, complained that they suffered the same hardships since they were the allies of Rome, that they had done before when they were her enemies; and in the most submissive manner begged "that the Romans would reckon it sufficient to have wrested from them the victory which they had gained over the Campanians and Sidicini their enemies, and not likewise suffer them to be oppressed by these cowardly nations: that as the Latines and Campanians were under the dominion of the Roman people, they might command them to withdraw their forces out of Samnium, and if they refused to obey, compel them by force of arms." The Romans being unwilling to own that the Latines were no longer dependent upon them, and being afraid to alienate their minds entirely, if they should oppose their designs, returned this ambiguous answer: "The condition of the Campanians and Latines is different. The former are not our allies by treaty, but our subjects by surrender; so that, whether they will or no, we will oblige them to be quiet. By our treaty with the Latines, they are not restrained from making war with whomsoever they please."

III. As this answer left the Samnites in an uncertainty with regard to the measures which the Romans intended to pursue, so it alienated the Campanians by alarming their fears, and increased the pride of the Latines, who concluded from it that the Romans were ready to make them any concessions. And accordingly having summoned frequent diets under pretext of raising levies against the Samnites, in all their consultations their chiefs privately concerted measures for attacking the Romans. The Cam-

panians likewise came into this design of making war on their deliverers. But how careful soever they kept all their proceedings concealed, and were resolved to exterminate the Sabines who lay behind them; before they attacked the Romans; yet a discovery of the plot was conveyed to Rome, by some persons connected with the republic by the ties of friendship and private obligations. Upon this, when the consuls were ordered to resign, that the election of successors for the ensuing year might come on the sooner, in order to make the necessary preparations against the terrible war which threatened them, the people were seized with a religious scruple, that the comitia could not be held by those magistrates who were deposed before their time. For this reason the republic was reduced to an interregnum. The two interreges were M. Valerius and M. Fabius. The latter created T. Manlius Torquatus for the third time, and P. Decius Mus, consuls. Historians are agreed that Alexander (*a*), king of Epirus (*b*), came this year with a fleet to Italy. Had this prince succeeded in his first attempts, there is no doubt but he would have carried his arms against the Romans. At the same time lived Alexander the Great, his sister's son, a young hero whose arms were invincible in another part of the world, but fortune cut him off by sickness. However the Romans, though they no longer doubted of the revolt of their allies and of the whole Latine nation, as if they had been only concerned for the Samnites and under no uneasiness about themselves, cited ten of their leaders to Rome, to receive their orders. The Latines had at that time two prætors, L. Annius of Setia (*c*), and L. Numicius of Circeum (*d*), both Roman colonies; by whose means (*e*) not only the cities of Segnia and Velitræ (*f*) and many Roman colonies, but also the Volsci had been excited to take arms against the republic. The two Latine prætors were cited by name. Every body knew the business about which they were sent for. For that reason, before they set out, they assembled a general diet, informed them that they had been summoned by the Roman senate, pointed out the heads upon which they thought their examination would turn, and asked what answer they should return to the interrogatories.

IV. As the members of the diet were divided in their opinions, Annius spoke thus, " Though I asked you what answer you would have us give to the senate, yet I think it concerns us much more to determine, what we are to do than what we are say. After we have determined how to act, it will be easy for us to find words adapted to our purposes. For if we can at this time,

under the appearance of a fair treaty, bear the yoke, what remains but that by betraying the Sidicini, we submit to the commands not only of the Romans, but of the Samnites too? Why do not we answer the Romans, that we will lay down our arms as soon as they signify their pleasure to us? But if we are concerned for the loss of our liberty, if the alliance we entered into with the Romans is truly social, and all society implies an equality of privileges in the persons who compose it; if we may now glory in being the kinsmen of the Romans, which we were ashamed to be before; if their army is composed of half our troops, by the junction of which their strength is doubled, which their consuls will not separate from their own forces neither at the beginning nor conclusion of wars undertaken by themselves; why have we not all other privileges upon an equal footing with them? Why is not one of the consuls elected out of the Latines? Why do not we, who furnish half the troops, also share the government with them? Nor is this demand of ours too exorbitant considered in itself, since we still acknowledge Rome to be the capital of Latium; though we have made it seem to be so by submitting so long to their tyranny. But if you ever wished for a favourable opportunity of sharing the power equally with them, and recovering your liberty; this is the time, which the favour of the gods and your own bravery now offer you. You have already tried their patience by refusing them your usual contingent of troops. And who doubts but they were highly provoked at our non-performance of a custom which is of two hundred years standing? Yet they bore this refusal. We made war in our own name with the Peligni (*a*), yet they who would not formerly allow us to defend our frontiers by our own arms, did not interpose their authority to hinder us. They have heard that we have taken the Sidicini under our protection, that the Campanians have revolted from them to us, and that we are levying armies to fall upon the Samnites, their allies, without stirring from the city. Whence proceeds all this moderation, but from a consciousness of their own weakness and our strength; I am credibly informed that when the Samnites complained of us, the Roman senate returned them such an answer as made it evident, they did not pretend to require the Latines to submit to the republic of Rome. Claim then by open demand the right they tacitly grant you. If any of you are afraid to carry this message, I myself undertake to declare to them, not only in the presence of the senate and people of Rome, but even of Jupiter Capitolinus himself, that if they will have us continue their friends and allies, they must receive one of their con-



suls and half of their senate from us." As he enforced his advice, and made this promise with an air of boldness, they all gave a shout, and with unanimous consent, commissioned him to act and to speak what he should think proper for the interest of the Latine state, and suitable to the trust reposed in him.

V. When he with the other Latine deputies came to Rome, the senate gave him audience in the capitol. There, after Manlius in name of the fathers had dealt with them not to make war upon the Samnites their allies, Annius with the haughtiness of a conqueror who had taken the capitol by arms, and not with the moderation of an ambassador protected by the law of nations, addressed them thus; "T. Manlius, said he, and you conscript fathers, it was time for you to forbear giving us orders in this imperious manner, when you saw Latium, by the goodness of the gods, flourish remarkably both in men and arms, the Samnites conquered by us, the Sidicini and Campanians, our allies the Volsci also on our side and many of your colonies preferring the Latine government to that of Rome. But as you have no mind to put an end to your tyranny; though we be able to set Latium at liberty by the sword, yet we will submit on account of our relation to you, to offer peace upon equal terms, since it hath pleased the gods to make our strength equal to yours. You must choose one of your consuls of the Romans, and the other of the Latines, and your senate must consist of an equal number of each nation; we must be one people and one republic. And since the seat of empire must be the same, we must all have the same name, and therefore one party must necessarily yield to the other, let Rome have the preference, let us all be called Romans, and may this name be lucky and auspicious to the united nations." It happened that the Romans had for their consul T. Manlius, a man of as much spirit as the Latine. He was so far from bridling his passion, that he declared openly, if the senators were mad enough to receive laws from a citizen of Setia, he would gird on his sword, come to the senate and kill with his own hand every Latine he found in it. And then turning to the statue of Jupiter, said "Hear, Jupiter, this daring impiety! hear, you divinities, who are the guardians of justice and equity! shalt thou, Jupiter, be so far brought into captivity and slavery, as to behold a foreign consul and a foreign senate in thy consecrated temple? Latines, is this the treaty which Tullus, the Roman king, made with the Albans your ancestors, and which L. Tarquin afterwards renewed with you? Do not you still remember your defeat near the lake Regillus? Are you so very forgetful of your former misfortunes, and our favours?"

VI. After Manlius had said this, while the fathers testified their resentment at the extravagant demands of the Latine deputy, and the consuls often invoked the gods to be witnesses of the infraction of the most solemn treaties, the report is that Annius was heard at the same time despising the deity of the Roman Jupiter. But whatever be in this, it is certain that as he withdrew out of the porch of the temple, in a transport of passion, he fell down the stairs in his hurry, bruised his head terribly, and struck it with so great force against a stone at the bottom of them, that he was stunned. Some historians say that he died of his fall, but as they are not all agreed about it, I cannot pretend to determine any thing certain concerning it; nor can I affirm that his death was followed by a great clap of thunder and a violent storm as a proof of the violation of the most solemn treaties. These circumstances may be true, or they may be only invented on purpose to give mankind the stronger impression of the indignation of the gods against such unjust proceedings. Torquatus being sent by the senate to dismiss the Latine ambassadors, upon seeing Annius lying on the ground, burst out so loudly into the following acclamation, that he was heard both by the senate and the people. "All is well. You gods begin a pious war. There is certainly celestial deities, and thou, great Jupiter, hast an existence! We did not without reason dedicate this temple to thee the father of gods and men. You Romans, and you conscript fathers, why do you one moment delay taking up arms, when you have the gods to lead you? I will lay the Latine legions as low as you see their ambassador lying on the ground." The people heard these words of the consul with approbation, and their minds were inspired with so much ardour, that the deputies owed their protection from violence and insults more to the care of the magistrates, who conducted them out of the city by order of the consul, than to the law of nations. The senate likewise consented to the war. The consuls levied two armies, marched through the territories of the Marsi (*a*) and Peligni, and having joined the Samnite army, encamped at Capua (*b*), where the Latines and their allies had assembled their forces. At this place, it is said there appeared to both the consuls in their sleep, a man of more than ordinary size and a more majestic look, who said "That the general of one army and the other army itself were devoted to the Dii manes (*c*) and to mother Terra. The people and party of that general who should devote the legions of his enemies and himself to those gods, should certainly be victorious." After the consuls had communicated their nocturnal vision to each other, they ordered

expiatory sacrifices to be offered, in order to avert the anger of the gods, and resolved, that if the same omens, which they had seen in their sleep, should be discovered in the entrails of the beasts, one of them should fulfil the decrees of the fates. Therefore when the answers of the haruspices exactly agreed with that superstitious belief, which was so strongly impressed upon their minds; they sent for the lieutenant generals and tribunes, and in open council disclosed to them the commands of the gods, lest the voluntary death of one of the consuls should have discouraged them in the heat of battle. Then they agreed between themselves, that he whose troops should first begin to give way, should devote himself for his country and the Roman people. It was likewise resolved in the same council, that, if ever strict military discipline had been observed in any former war, it should now be revived with all its ancient severity. What made such strict precautions so necessary was, that they were to engage with Latines who spoke the same language with the Romans, observed the same customs, used the same arms, and, what was more than all, had the same manner of fighting. Besides, their soldiers had served with theirs in former wars, and their centurions and tribunes had been colleagues in the same garrison and mixed together in the same companies. Wherefore to prevent the soldiers from being surprised or from falling into any snare, the consuls published a proclamation forbidding every officer and soldier to fight out of his rank.

VII. Among other officers who were sent out on all sides with detachments to reconnoitre the enemy, it happened that T. Manlius the consul's son came with his troop so nigh the enemy's camp, that he was within a dart's throw of their advanced guard, which consisted wholly of Tusculan horse commanded by Geminus Metius, a man of a great family and known valour among the Latines. As all the men of figure on both sides knew one another, when he observed the Roman squadron, and saw the consul's son marching boldly at the head of it, he said, "Romans, do you intend to wage war with the Latines and their allies with one troop of horse? How will the consuls and the two consular armies employ themselves in the mean time?" "They will appear in due time," replied Manlius, "and with them will come Jupiter, who is a witness of your breach of treaties, and is more strong and powerful to punish you for it. If we gave you your content of fighting at the lake Regillus, we shall certainly now make you have no great inclination to draw up your armies and engage with us in battle for the future." At which words Ge-

minius advancing a little before his men, said, "Will you, till the day come when you are to defeat our army by your mighty prowess, in the mean time enter the lists with me, that from the issue of our combat it may be seen, how far a Latine excels a Roman knight?" Rage, the shame of declining the combat, or the invincible necessity of his fate, prompted the fiery Manlius to accept the challenge. Forgetting therefore his father's commands, and the orders of the consuls, he is hurried on precipitately to a combat, in which whether he came off victorious or was conquered, there was no great difference. After the rest of the horse had drawn back, as it were to see the fight, the combatants rode full speed at each other in the open space between the two parties, and pushing at one another with their spears, the lance of Manlius razed the helmet of Metius, whose spear went over the neck of his adversary's horse. Then they wheeled their horses, and Manlius, having raised himself first to repeat his blow, struck Metius's horse between the ears with his lance. As the smart of the wound made the horse rise with his fore feet and shake his head, his rider was thrown off. While he endeavoured to raise himself, and was leaning upon his buckler and lance, Manlius gave him a thrust in the throat with his spear, so that the iron point came out through his ribs, and pinned him to the ground. Having gathered up the spoils, Manlius joined his troop, returned with them in triumph to the camp, and going directly to his father's tent, ignorant of his fate and what was to happen, or whether he had deserved punishment or praise, said, "Father, that all men may know that I am truly descended of your blood, I was challenged, and here I now carry the spoils which I took from the knight whom I slew." But the consul upon hearing these words, immediately turned his back upon his son, ordered his troops to be assembled by sound of trumpet, and in a full meeting of them, replied, "since you, T. Manlius, without regard to the commands of the consuls, or authority of a father, have in direct contradiction to our proclamation fought with the enemy without orders, and have, as far as in you lay, dissolved that discipline, which to this day has been the support of the Roman state; and reduced me to the sad necessity, either of forgetting my country or myself and my children; we ought to suffer punishment for our crimes, rather than the commonwealth should suffer on our account. We shall be a melancholy example, but a salutary one to the Roman youth in after ages. The natural affection I have for my children endears you to me, and that endearment is heightened by this proof you have given of your bravery, misguided by a vain phantom of glory. But

since I must either by your death enforce the regard due to the consular authority, or by your impunity abolish it for ever; if you have a drop of my blood in your veins, you will not refuse to die, that by your punishment, you may reinstate that discipline which you have subverted by your disobedience. Go, lictor, tie him to a stake." The whole army was astonished at this barbarous order. Every man looked upon the ax as lifted up against himself, and kept within bounds rather through fear than submission. They stood mute for some time, but when his head was cut off, and the blood streamed from it, their spirits recovered from their astonishment, and they uttered their complaints freely, sparing neither lamentations for the son, nor imprecations on the father. They celebrated this youth's funeral with the greatest military honours, and after covering his body with the spoils he had taken from the enemies, burnt both on a pile raised without the camp. Thus Manlius's order might not only strike terror into the present age, but might also be a melancholy example to posterity.

VIII. Nevertheless this cruel punishment made the soldiers more obedient to their general; for besides their watching and warding, and posting their guards in all places with more precaution, this severity was of service to them when matters were brought to the last push in the battle which followed. The fight had all the appearance of an engagement between citizens, so much did the Latines resemble the Romans in every thing except their courage. The Romans had used the clypeus (*a*), but since their soldiers had received pay, they had used the scutum (*b*) instead of it; and though they had been originally one close body like the Macedonian phalanx, their army was afterwards marshalled into manipuli. At last they were formed into several companies (*c*), each consisting of sixty-two soldiers, a centurion and a standard bearer. In the first line were the hastati (*d*), which consisted of ten manipuli placed at a small distance from one another; in each of which were twenty men light armed, the rest of the manipulus was armed with the scutum. Those who carried the pike and javelin were called light armed. This first line of the army consisted of the flower of the youth who were trained up for the service. The second consisted of as many manipuli of those of riper age called principes (*e*), who were all armed with the scutum and shining arms. These two lines, consisting of twenty manipuli, they called antepilani (*f*), because other ten manipuli were posted in close order and behind the standards. Each of these manipuli were divided into three parts, the first of

each of which was called pilum (*g*). Every manipulus had three standards, and one hundred and eighty-six men belonging to it. The first ensign led on the triarii (*h*), who were veterans of distinguished bravery, the second led on the rorarii (*i*) who were inferior to the former in strength, age, and military renown; the third led on the accensi (*k*), a body of men in whom they reposed very little confidence, and for that reason were placed in the last line. After the army was ranged in this order, the hastati first, of all the heavy armed, began the battle. If they were not able to route the enemy, they retreated in close order into the intervals of the ranks of the principes, who covered them. And then they engaged, and the hastati, who had fallen back to their rear, followed them. The triarii kept their posts behind the ensigns with their left legs stretched out, their broad shields upon their shoulders, holding their pikes with the ends fixed in the ground and the heads upwards, and appeared as dreadful as an army guarded by a palisade. If the principes were unsuccessful in their attack, they by degrees fell back from the first line to the triarii. Hence came the proverbial expression, "It is come to the triarii," when matters are brought to an extremity. Upon their rising, they received the principes and hastati into the void spaces between their manipuli (*l*), and closing their ranks, in a manner shut up all the intervals and marched against the enemy in one compact body, without leaving any reserve behind. This sight struck the enemy with the greatest terror, who, while they were in pursuit of the Romans in a manner conquered, beheld a new army more numerous than the former, rising as it were suddenly out of the earth. It was customary to raise four legions, which consisted each of five thousand foot and three hundred horse. They used likewise to have an equal number of legions among the Latines, who were at that time at war with the Romans, and had drawn up their men in the same order. And they knew that the Latine ensigns, their hastati, their principes and triarii and even their centurions must each engage with theirs, if their ranks were not broke. There were in the opposite armies two first centurions of the triarii, a Roman and a Latine. The Roman had not so strong a body as his antagonist, but he was a man both of skill and courage. The Latine centurion was very strong and an excellent soldier. They knew one another perfectly well, because they had always borne an equal command. The Roman, not trusting sufficiently to his own strength, obtained permission from the consuls to chuse any person he pleased for a sub-centurion to defend him from a particular person, whom he knew

it would be his fate to engage with. The young man pitched upon encountered the Latine centurion in the action, and obtained the victory over him. This battle was fought not far from the foot of mount Vesuvius, in the road to Vesperis (*m*).

IX. The Roman consuls offered up sacrifice before they led out their army to battle. The haruspex is said to have shewn Decius the head of that part of the liver, which foretold what would befall the Romans (*a*), cut off; otherwise he told him the sacrifice was acceptable to the gods, and that Manlius's sacrifice presaged success. "All is well," says Decius, "if my colleague has appeased the gods." After they had drawn up their men in the order above mentioned, they advanced to charge the enemy. Manlius commanded the right wing, and Decius the left. At first the ardour of both armies was equal, and their strength much alike; but afterwards the Roman hastati on the left, not being able to stand the charge of the Latines, retired to the principes. In this consternation, Decius called on Valerius with a loud voice and said, "Valerius we want the assistance of the gods; come, do you, who are the Pontifex Maximus of the Roman people, repeat these words before me, by which I may devote myself for the legions." Valerius ordered him to put on his toga prætexta (*b*), and having covered his head with a veil, to hold one hand extended under his robe as high as his chin, and standing upon a lance which was put under his feet crosswise, to repeat these words, "Janus, Jupiter, father Mars, Bellona, and ye Dii Lares! all ye nine gods (*c*), who were brought to Rome by the Sabines! all ye heroes who dwell in heaven! all ye gods who rule over us and our enemies, and all ye infernal deities! I pray, invoke, and humbly entreat you to prosper the arms of the Romans, grant them the victory, and strike their enemies with fear, terror, and death. According to promise, I devote myself to the Dii manes and the goddess Tellus, in behalf of the Roman republic, her army, legions, and auxiliaries, and with myself I devote the legions and auxiliaries of the enemy." When he had finished, he ordered the lictor to go quickly to his colleague T. Manlius, and tell him that he had devoted himself for the army. Then tucking up his robe in the galian knot (*d*) he put on his arms, mounted his horse and rode full speed into the midst of the enemy. He was seen by both armies, appeared more majestic in his air than men commonly are, and was believed to be sent from heaven to appease all the anger of the gods, to drive the calamities of the war from the Romans, and turn them upon their enemies. Thus fear and terror being carried as it were along with him, he

at first put the Latines into confusion, and afterwards penetrated into the midst of their army. This was most evident, that whatever way his horse carried him, the men were astonished as if they had been planet struck. But after he fell to the ground, overwhelmed by the darts of the enemy, the Latine cohorts, being seized with the utmost consternation, were destroyed, and fled on all sides. At the same time the Romans, having their minds now freed from superstitious fears, renewed the battle, and fell upon the enemy with new fury, as if the signal to battle had been then first given. For the *rorarii* advanced into the intervals of the two first lines and strengthened the *hastati* and *principes*; and the *triarii* kneeling on their right knee, waited the general's orders to rise.

X. But as the battle still continued; and the Latines had the advantage in many places through the superiority of their numbers; Manlius, upon hearing what had happened to his colleague, and, as justice and piety required, paid the tribute both of tears and praise which so glorious a death deserved, was for a while in suspense, whether it was time for the *triarii* to rise; but afterwards thinking it would be better to reserve them to the last extremity, he commanded the *accensi* to advance from the rear before the two first lines. As soon as they appeared, the Latines immediately made their *triarii* advance, thinking the enemy had done the same. After they had wearied themselves by fighting smartly for some time, and had either broken or blunted their javelins, they repulsed the Romans by main force, and took it for granted that they were entirely routed, and that they were come to the last line; when the consul said to the *triarii*, "Rise, fellow-soldiers, with fresh strength, and engage with men already tired with fighting: remember your country, your parents, your wives, and your children: remember a consul who has laid down his life to gain you the victory." When the *triarii*, whose strength was entire and arms shining, rose like a new army which had started up unexpectedly, they received the two first lines into the intervals of their ranks, and setting up a shout, put the first line of the Latines into disorder; pricked the faces of their *hastati* (*a*), and having slain the flower of their army, made their way through the *manipuli* of the other lines, as if they had been unarmed, almost without receiving a wound. In short, they broke through their battalions with so much slaughter, that scarce a fourth part of the enemy was left alive. The *Samuites* likewise, who were at a distance drawn up in battalia at the foot of mount *Vesuvius*, kept the Latines in fear. But of all the Romans and



allies, the chief honour of this glorious victory belonged to the consuls; one of whom transferred all the dangers and calamities threatened by the gods of heaven and earth upon himself, and the other shewed so much bravery and good conduct in battle, that all the Roman and Latine historians, who have given any account of this action, agree, that whatever side T. Manlius had commanded, would certainly have got the victory. The Latines after their flight retired to Minturnæ (*b*). After the battle, their camp was taken and many persons who survived were there trod to death; in which calamity the Campanians particularly were great sufferers. The Romans indeed fought for the body of Decius, but night coming on prevented them from finding it that day. Next morning they found it amidst heaps of dead bodies of the enemy, and covered with darts. His colleague buried him with a magnificence suitable to his glorious death. I think it proper to add in this place, that the consul, dictator, or prætor, when he devoted the enemy's legions, was not obliged to devote himself, but might devote any Roman citizen provided he was one enrolled in the Roman legions. "And if the person devoted died, all seemed well: but if he escaped, a statue seven feet high or more was buried under ground, and an expiatory sacrifice slain in his stead. And it was unlucky for a Roman magistrate to set his foot upon the place, where the statue was buried." But if any one shall desire to devote himself, as Decius did, "in this case, if he make his escape, he could not without pollution perform any private or public act of religious worship. If the devoted person shall desire to consecrate his arms to Vulcan or any other divinity, he may do it, offering at the same time an expiatory sacrifice or any other offering. It was deemed an unlucky accident if the enemy made themselves masters of the spear, upon which the consul stood, when he repeated the prayer; and if it fell into their hands, the Romans were obliged to offer an expiatory sacrifice of a bull, a boar, and a ram, to Mars."

XI. Though the remembrance of every custom sacred and profane be now wore out, because every thing foreign and new is preferred to the ancient usages of our own country; I thought it would not be improper to insert these devotements in the express form of words which were pronounced on these occasions, and which have been conveyed down to us. I find it asserted by some historians, that the Samnites, having waited for the decision of the battle, came to the assistance of the Romans after it was over. The inhabitants of Lavinium (*a*), likewise, after wasting much time in deliberation, began to send succours to the

Latines after their defeat. And that their foremost standards and a part of their army had but just marched out of the gates, when they received the news of the defeat of their allies, upon which they turned about and re-entered the town; whereupon it is reported that Millonius their prætor told them, "that the Romans would make them pay dear for the short march they had made." The Latines who survived the battle, after being dispersed through many roads, assembled themselves in one body, and took shelter in the city Vescia (*b*). And Numicius boldly asserted in their assemblies, "that both armies had suffered equally, and that it was a drawn battle; the Romans had only the name of victory, but in all other respects had met with such rough treatment, that they ought to look on themselves as conquered. Both the tents of their consuls were defiled with dead bodies, the one by the murder of his own son, and the other by the slaughter of the devoted consul; all their army was in a manner slain, their first and second lines cut off, a terrible slaughter made both before and behind the Roman standards, and that the triarii had at last reinstated the battle. Though the Latine forces were sadly reduced, yet they were nearer to the Volsci and Latium, where they might recruit their forces, than the Romans were to Rome. That if they thought it advisable, he would quickly raise the youth of the several nations of the Latines and Volsci, return to Capua with an army ready for action, and by this unexpected coming surprise the Romans, who would be expecting nothing less than a battle. Upon this they dispatched letters with false accounts all over Latium and the dominions of the Volsci, and as those who had not been present at the battle were apt rashly to give credit to them, a disorderly army was raised and drawn together in a hurry from all quarters. Torquatus the consul met them at Trifanum (*c*), a place between Sinuessa (*d*) and Minturnæ; and before either side encamped, they only threw their baggage together in heaps, and came to an engagement, wherein he entirely defeated them. This overthrow so reduced them, that when the consul led his army to ravage their lands, all the Latines surrendered to him at discretion, and the Campanians followed their example. The Romans seized the lands belonging to Capua and Latium. The land of the Latines with the addition of that of the Privernates and the territory of Falernus (*e*), quite to the river Volturnus (*f*), which had belonged to the Campanians, were distributed among the commons of Rome. Those who obtained lands in Latium had each two acres, besides the addition of three fourths of an acre in the country of the Privernates.

nates. Those, among whom the lands of Falernum were divided, were allowed each three acres and a quarter, because of their distance from Rome. Nevertheless all the Latines and Campanians did not suffer this punishment, for the Laurentes (*g*) and the Campanian knights were exempted, because they had not revolted. The treaty was ordered to be renewed with the Laurentes, and it was done every year on the tenth day after the Latine holidays (*h*) ended. The freedom of the city was granted to the Campanian knights, and to perpetuate the memory of this privilege, it was engraven on a plate of brass which was fixed up in the temple of Castor at Rome. The number of those knights was sixteen hundred, and the people of Campania were ordered to pay to each of them yearly four hundred and fifty denarii (*i*).

XII. Manlius having finished the war in this glorious manner, and rewarded and punished each man according to his demerits, returned to Rome. But it is agreed on all hands, that none but the old men went out to meet him; for all the youth, not only on this occasion, but ever after, had him in the greatest aversion, and vented imprecations against him. The Antiates made an incursion upon the lands of Ostia, Ardea, and Solonium. As the consul Manlius could not manage this war by reason of his bad state of health, he nominated L. Papirius Crassus, who was then prætor, to the dictatorship, and the latter chose L. Papirius Cursor to be general of the horse. The dictator performed nothing memorable in this expedition against the Antiates, though he kept a standing camp in their country for some months. To this year, which was memorable for a signal victory gained over so many and so powerful nations, as it was also distinguished by the glorious death of one of its consuls, and by the authority of the other, which though cruel was yet famous in after ages, succeeded the consulate of T. Æmilius Mamercinus and Q. Publilius Philo, men who finding the like employment with their predecessors, did not shew more regard to their own private interest or party spirit, than to the good of their country. The Latines continuing their hostilities on account of the loss of their lands, were routed by them in the plains of Feneclanum (*a*) and their camp taken. And while the several Latine nations that had lost their youth by this defeat, were surrendering themselves to Publilius, who had commanded in this expedition, Æmilius led his army against Pedum (*b*). The people of Tybur, Præneste, and Velitræ, protected the inhabitants of this city, and succours had come to them from Lavinum and Antium. However the Romans had obtained the advantage in some battles; but while they were wholly

employed against the city of Pedum and the camp of the allies which was joined to it, before any part of the work was done, the consul all of a sudden, hearing that a triumph was decreed his colleague, left the siege and came to Rome, in order to solicit the senate with earnestness to decree him the same honour, before he had gained any victory to deserve it. The fathers, highly displeased at his unreasonable desire, assured him that he should not have any triumph, till he had either taken Pedum or forced it to surrender. Upon which Æmilius was so disgusted at the senate, that his consulate resembled a seditious tribuneship. For while he continued in office, he never ceased to accuse the fathers to the people, nor did his colleague interpose, because he was a commoner himself. The unequal distribution of the lands in Latium and Falernum furnished him with matter of accusation against the fathers. And afterwards when the senate, desirous to shorten the authority of the consuls, ordered a dictator to be nominated to make head against the Latines who were taking up arms, Æmilius, who had the fasces at that time, named his colleague dictator. He chose Junius Brutus for his general of horse. His administration was entirely favourable to the popular faction, and abounded with slanderous speeches against the fathers. Besides, he passed three laws in favour of the commons, against the nobility. The first was, that the decrees made by the people should bind all the Romans in general. The second, that the fathers should ratify the laws to be brought into the comitia by centuries, before the people began to vote. The third, that as both the consuls might be legally chosen from among the people one of the censors should also be chosen out of that order. For these reasons the senate thought the dictator and consuls had done the republic more mischief at home, than all the service they had done abroad in enlarging its domain by their conquests and war-like achievements.

XIII. The following year, when L. Furius Camillus and C. Mænius were consuls, the senate, in order to put the greater affront upon Æmilius, the former consul, for neglecting to discharge his commission, declared in strong terms for the taking and destroying of Pedum by men, arms, and all manner of force; so that the consuls were obliged to enter upon this enterprize first, and accordingly marched against it. The situation of the Latines was now such, that they could neither endure peace nor war. They wanted forces to carry on the latter, and were so much grieved for the loss of their lands, that they rejected the former. They imagined it was observing a medium, to shut themselves

up in their cities, and thereby give the Romans no provocation to make war upon them; and, upon hearing that they had invested any of their cities, to march the forces of their several states from all quarters to its relief. Yet notwithstanding this plan, the inhabitants of Pedum were assisted but by a very few of them. Only the people of Tybur and Præneste, whose territory lay next to it, came to its relief. Mænius surprised the people of Aricia, Lavinum, and Velitræ, who were uniting their forces with the Volsci and Antiates, upon the banks of the Astura (*a*), and routed them. Camillus with no less success engaged at Pedum with the Tiburtines, though they were very strong and put him hard to it. For the besieged made a sudden sally in the heat of the battle, which put the Romans in confusion; but Camillus, having ordered part of his troops to face about, not only drove them back into the city, but after routing them and their auxiliaries, took it by storm the same day. After the taking this single city, the consul resolved to lead the victorious army with more vigour and briskness to reduce Latium, nor did they stop, till by taking their cities by force, or obliging them to surrender at discretion, they subdued the whole country. Then placing garrisons in the several towns, they set out for Rome, in order to receive the honour of a triumph, which all ranks unanimously intended to confer upon them. Besides a triumph they received an additional honour. Equestrian statues were erected for them in the forum, which was a great rarity in those days. Before the consuls proposed assembling the comitia for the election of magistrates for the following year, Camillus moved the senate to take the affairs of the people of Latium into their consideration, and spoke himself as follows. "Conscript fathers, the goodness of the gods and valour of our soldiers have now put an end to hostilities and the war we were forced to make with the Latines. The enemy's armies have been cut to pieces at Pedum, and on the banks of Astura. All the cities of Latium, and even Antium in the territory of the Volsci, have been either taken by force of arms or surrendered at discretion, and are now secured by your garrisons. As they disturb us by frequent revolts, it now remains for us to consider, how we may keep them always quiet by establishing a lasting peace. And the immortal gods have so far enabled you to determine this matter, that it is in your power to resolve whether there shall be for the future any such place as Latium or not. As to the Latines, you may secure yourselves of peace from them for ever, either by treating them with rigour or pardoning them. Do you intend to exercise your severity upon

those whom you have conquered, and who have submitted to you? You may destroy all Latium, and make that country a vast desert, which produced those men who have served in your armies as allies in so many dangerous wars. Or are you desirous, in imitation of your ancestors, to strengthen the Roman state, by granting the conquered the privilege of citizens? You have now a fair opportunity of encreasing the number of your subjects with the utmost glory. That government is certainly by far the most firmly established, where the people obey with pleasure. But whatever your determination be, it must be without losing time, many nations are now in suspense between hope and fear, and you ought to free yourselves from this care about them as soon as possible, and take the advantage of the present uncertainty of their minds, either for punishing, or shewing favour to them, before they have time to look about them. It was our duty to put it into your power to pass what sentence upon them you should think fit; it is your own to determine what is most expedient for yourselves and for the republic."

XIV. The chief men of the senate approved of the motion of the consul in general. But as the conduct of the Latine states had been different, they thought they would be best enabled to determine, if each of them were specified by name, in order to reward or punish them as they had deserved. Accordingly they proceeded to examine the conduct of each state, and resolved that the inhabitants of Lanuvium should be made Roman citizens, and their sacred things restored to them upon condition the grove and temple of Juno Sospita should be in common between them and the Romans. The inhabitants of Aricia, Nomentum, and Pedum, were made Roman citizens upon the same footing with those of Lanuvium. The Tusculans retained the right of citizenship which they had formerly enjoyed; and a few, who had been ring-leaders of their revolt, were punished without condemning the whole nation. The inhabitants of Velitræ, who were originally Roman citizens, were treated with great severity, because they had so often revolted. Their walls were demolished, their senate removed to another place, the inhabitants ordered to dwell on the other side of the Tiber; so that if any of them were apprehended on this side of that river, he was obliged to pay one thousand asses of brass (*a*), and he who seized him, might detain him prisoner, till payment was made. A colony of Roman citizens was sent to possess the lands of their senators, whereby Velitræ was almost as well peopled as formerly. A new colony was likewise sent to Antium; nevertheless the Antiates had permission to enrol

themselves if they pleased. They were admitted to the right of citizens: but their ships of force were taken away, and they were forbid to go any more to sea. The inhabitants of Tybur and Præneste were deprived of all their lands; but this severe sentence was inflicted upon them, not so much on the account of their late revolt, in which the rest of the Latines had been equally engaged, but because they had formerly, through a dislike of the Roman government, joined their forces with that wild and savage people the Gauls. They took from the other nations of Latium the power of holding diets, making intermarriges, and keeping fairs for trade. The Campanians had the right of citizenship but not a right of suffrage granted them, in order to do honour to their knights who had refused to join with the Latines in their revolt; and the people of Fundi and Formiæ obtained the same favour, because they had always given the Roman armies a free and quiet passage through their territories. They agreed that the cities Cumæ and Suessula should have the same terms and be upon the same footing with Capua. As to the ships which belonged to the Antiates, some of them were carried into the docks at Rome, and the rest burned. With their beaks they adorned the tribune of harangues which was erected in the forum, and from them was this temple (*c*) called Rostra.

XV. C. Sulpicius Longus and P. Ælius Pætus being consuls, when all the states in the neighbourhood of Rome were quiet, not more out of fear of her arms, than out of affection to her for the services she had done them, a war broke out between the Sidicini and Aurunci. The Aurunci had surrendered themselves to T. Manlius the consul; and as they had made no attempts against the republic since, they had the juster plea to demand assistance from the Romans. The senate had ordered the consuls to defend the Aurunci, but before they marched their army from the city, news was brought that they had abandoned their capital through fear, and fled with their wives and children to Suessula, now called Aurunca, which they had fortified, and their old walls and city were demolished by the Sidicini. The senate offended with the consuls, because they had betrayed their allies by their delay, ordered them to name a dictator. C. Claudius Regillensis was the person named, and he chose C. Claudius Hortator for his general of horse. But some scruples arose with regard to the election of this magistrate (*a*), as the augurs declared that there appeared to be some defect in it, both he and his general of horse resigned their office. This year Minucia, a vestal virgin, first suspected on account of her dress, which was more gaudy

than became her function, was afterwards accused at the tribunal of the pontiffs by one of her slaves who informed against her. Upon this she was commanded not to perform any sacerdotal office, nor to enfranchise any of her slaves, and having the sentence of condemnation passed on her, was buried alive in the wicked field near the Colline gate, on the right side of the common road. I suppose the field was so called because the vestals who had been guilty of incontinence were buried there. The same year Q. Publilius Philo, a plebeian, was chosen prætor. He was the first commoner who was advanced to that office. Sulpicius the consul opposed his election, and refused to receive his name as a candidate; but as the senate had not been able to hinder plebeians from obtaining the highest dignities, they were the less keen in opposing his election to the prætorship.

XVI. The following year, when L. Papirius Crassus and Cæso Duilius were consuls, was remarkable for a war with the Ausones (*a*), which was rather new than formidable. That people inhabited the city of Cale (*b*). They had joined their forces with those of the Sidicini their neighbours, and the confederate army of both nations was entirely routed in one battle, and that not at all considerable, because the nearness of their cities to the field of battle, gave them the greater disposition to fly, and likewise made their flight more secure than otherwise it would have been. Nevertheless the senate did not give over all concern for this war, because the Sidicini had so often taken up arms themselves against the republic, assisted her enemies, or excited others to declare war against her. For this reason they used their utmost endeavours to have T. Valerius Corvus chosen consul a fourth time, the greatest general of the age. His colleague was M. Atilius Regulus; and that he might not be disappointed of that province, the senate desired Regulus to consent that Corvus should have it without casting lots. Having received the command of the victorious army from the former consuls, he marched directly against Cale where the war had begun, and upon the first onset, having routed the enemy, who were intimidated with the remembrance of their former defeat and the shouts of the Roman army, he attempted to storm the city. Here the ardour of the soldiers was so great, that they wanted to apply their scaling-ladders to the walls, and were positive they would mount them. But as this was a difficult attempt, Corvus chose rather to make himself master of the place by the labour of his men, than by exposing them to danger. For this reason, he raised a mount (*c*) and galleries (*d*), and brought moveable towers (*e*) close to the walls,



but a lucky accident prevented his using them. For one M. Fabius a Roman prisoner, taking the opportunity of the negligence of his guard, broke his chains on a festival day, fastened a cord to the battlements of the wall, and let himself down by his hands among the Roman machines. He prevailed with Corvus to attack the enemy, while they were asleep and loaded with wine and good cheer. And accordingly he made as easy a conquest of the Ausones in the assault of their capital, as in the battle wherein he had put them to flight. A great booty was taken, and after placing a garrison in Cale, the legions were brought back to Rome. The senate decreed Corvus a triumph, and that Atilius might have his share of glory, both the consuls were ordered to lead an army against the Sidicini. Before they set out on this expedition, in obedience to an act of senate, they named L. Æmilius Mamercinus dictator, in order to preside in the comitia for the election of consuls. He appointed Q. Publilius Philo to be his general of horse. When he assembled the comitia, T. Veturius and Sp. Posthumius were chosen consuls. Although the war with the Sidicini was not finished, yet in order to oblige the people before they should have time to apply for it themselves, the consuls elect made a motion for sending a colony to Cale. The senate ordered two thousand men to be enrolled for that purpose, and appointed Cæso Duilius, T. Quinctius, and M. Fabius, triumvirs, for leading out the colony and dividing the lands among them.

XVII. After this the new consuls, having received the command of the army from their predecessors, entered the territory of the Sidicini, and extended their devastations even to their walls and capital. In the mean time, as the enemy had assembled a numerous army and seemed resolved to exert their utmost efforts in a decisive battle, and a report being spread that they were soliciting the Samnites to join them, the consuls by order of the senate named P. Cornelius Rufinus dictator. He chose M. Antonius for his general of horse. But superstition made them imagine that there was some defect in their nomination, for which reason they resigned their office. And because the plague followed, the government fell into an interregnum, as if all the auspices had been infected with that contagion. Valerius, however, the fifth interrex in order of succession, created A. Cornelius a second time, and C. N. Domitius consuls. When all was quiet, the report of a war with the Gauls so much alarmed them, that they deemed it proper to nominate a dictator. M. Papirius Crassus was the man, and he made Valerius Poplicola his general of horse. While they were carrying on the levies with more diligence than if

Rome had been at war only with her neighbours, the spies returned with intelligence that all was quiet among the Gauls. The Samnites likewise were suspected of having been a whole year employed in forming new designs against the republic, and for that reason she did not recal her troops from the country of the Sidicini. But the war, which Alexander, king of Epirus, made against the Lucani, induced the Samnites to participate in their quarrel. These two nations engaged with him in a pitched battle as he was making a descent at Pæstum (*a*). The king obtained the victory, and entered into an alliance with the Romans, it is, however, uncertain how faithfully he would have kept it, had his arms always been equally successful. The same year a survey of the people was made, the new citizens were enrolled, and upon their account, two new tribes, the Mæcian (*b*), and Scaptian (*c*) were added by the censors Q. Publilius Philo and Sp. Posthumius. By a law proposed by L. Papirius the prætor, the inhabitants of Acerræ (*d*) were made citizens of Rome, but had not the right of suffrage in their assemblies. These were the transactions of the republic in peace and war during this year.

XVIII. The following year, M. Claudius Marcellus and C. Valerius being consuls, there was a great mortality, occasioned either by the intemperature of the air or human treachery. I find the surnames of Flaccus and Potitus given to the consul Valerius in some annals, but they do not all agree concerning it, nor is it of any great importance to know which is the true one. I could rather wish, the accounts we have of those persons being poisoned, whose death makes this to be reckoned an unlucky year by reason of the raging of the plague, were really false, as all the historians do not assert it; but I must relate the story as it is transmitted down to us, that I may not diminish the credit that is due to any of them. When the principal men of the city were dying of the same distemper and almost all with the same symptoms, a maid-servant came to Q. Fabius Maximus, who was then curule ædile, and promised to discover the cause of this public calamity, upon assurance that her information should not be prejudicial to herself. Fabius immediately acquainted the consuls, who laid the matter before the senate. And by their consent, the informer had the promise of a pardon given her. Upon this she deposed that the republic was distressed by the treachery of women; that certain ladies prepared these poisonous medicines, and that if they would follow her directly, they might take them in the fact. Those who attended her found some of them preparing their medicines and some that were already laid up. The

medicines were brought into the forum, and the ladies with whom they were found, to the number of twenty, being cited to appear before the people, two of them, Cornelia and Sergia, both patricians, insisting that the medicines were wholesome, were desired by the informer to drink the potions in order to disprove her accusation. They required some time to confer with their accomplices, and after the people had retired a little, proposed the matter to them in the view of every body; and upon their consenting to take the potion, they drank it off and perished all by their own villainy. Their companions were immediately apprehended, and discovered a great number of women concerned in this affair, of whom one hundred and seventy were condemned to death. Before this time, nobody had been tried at Rome for poisoning. The people looked upon it as a prodigy, and thought it rather the effect of the madness than of the wickedness of their minds. Therefore they examined the records, and finding that formerly, upon a secession of the commons, a nail had been driven by the dictator, and that the minds of the disaffected had been brought to reason by that ceremony, they deemed it proper to nominate a dictator for that purpose. Cn. Quintilius was the person pitched upon. He chose L. Valerius for his general of horse, and after driving the nail, they resigned their office.

XIX. The consuls this year were L. Papirius Crassus for the second time, and L. Plautius Venno. In the beginning of their administration, deputies came to Rome from the Fabraterni (*a*), a people of the Volsci, and from the Lucanians, intreating the Romans to take them under their protection. They promised faithful and unlimited submission to the Roman government if they would defend them from the arms of the Samnites. Upon this, the senate sent ambassadors to desire the Samnites to commit no hostilities upon the frontiers of these cantons. This embassy had the desired effect; not that the Samnites had any love for peace, but because they were not ready to make war. The same year, a war broke out with the Privernates. The inhabitants of Fundi had joined them; their general likewise was one Vitruvius Vaccus, a native of that city, a man of figure not only in his own country, but also at Rome. He had a house on the Palatine hill. After it was demolished and the ground sold, the place was called Vaccus's meadows. L. Papirius marched against him as he was ravaging the territories of Setia, Norba, and Cora, with great fury, and encamped at a small distance from him. Vitruvius was not wise enough to secure himself within his intrenchments against the superior power of his enemy, nor had he courage to fight

them at any distance from his camp. For before he had drawn all his men without the gates of it, as they thought more of turning their backs, than of fighting the enemy, he engaged without either conduct or courage. And though he was totally defeated without difficulty, yet as his camp was so nigh, and the retreat to it so easy, it was no hard matter for him to save his men from any considerable slaughter. There fell hardly any of them in the attack; a few of the hindmost of them were cut off as they were hurrying into their camp in disorder. The remainder, as soon as it was dark, retired with precipitation to Privernum, and from thence to Petium, that they might secure themselves better within walls than intrenchments. Plautius the other consul, having devastated the country of the Privernates and carried off the booty, led his army into the territory of Fundi. As soon as he entered their frontiers, their senate met him in a body and represented, "That they came not to ask any favour for Vetruvius or his faction, but to intercede in behalf of the people of Fundi, who had no share in the rebellion, even in the judgment of Vitruvius himself, who had taken refuge in Privernum, and not in his own country Fundi. The enemies of the Roman people having forgotten their obligations to Rome and Fundi, both their native countries, were to be sought for and punished at Privernum. The people of Fundi had kept the peace, their hearts were Roman, and they retained a grateful remembrance of the right of citizenship with which the Romans had honoured them. Wherefore they intreated the consul, that he would turn the war from an innocent people, and assured him, that their lands, their city, their own persons and those of their wives and children, were and would remain at the disposal of the Roman people." The consul, having commended the Fundani and dispatched letters to Rome with an account of their dutiful behaviour, took the road to Privernum. Claudius the historian writes, that the consul first punished those that had been the instigators of the revolt; that three hundred and fifty of the rebels had been sent bound to Rome, that the senate would not accept of that surrendry, because they thought the people of Fundi intended to rid themselves of all danger, by exposing these mean indigent wretches to death.

XX. While the two consular armies laid siege to Privernum, one of the consuls was sent for to Rome to hold the comitia. Prisons were first erected in the circus this year. And before the republic was freed from all concern about the war with the Privernates, she was alarmed with the dreadful news that the

Gauls were in arms; a report which was never neglected by the fathers. For in consequence of this report, the new consuls L. Æmilius Mamercinus and C. Plautius, the very day that they entered upon their office, which was the first of July, were immediately ordered to share the provinces between them; and Mamercinus, to whom the war with the Gauls had fallen, was commanded to raise an army without admitting any excuse. Even the meanest artificers, and those whose occupations were sedentary, men very unfit for war, were said to have been enrolled. A numerous army was led to Veii, that from thence they might march to meet the Gauls. But the consul did not think it advisable to advance further, lest the enemy should escape him by taking another route to the city. A few days after, upon receiving information that all was quiet among the enemy, he turned all his forces from the Gauls against Privernum. There are two accounts of the taking of this city. Some say, that it was carried by assault, and that Vitruvius fell alive into their hands; others write, that, before the assault began, the Privernates came to the consul bearing the caduceus (*a*) in their hands, that they surrendered at discretion, and delivered up Vitruvius to the Romans. When the senate was consulted concerning Vitruvius and the Privernates, they sent for the consul Plautius to receive the honour of a triumph, after he had demolished the walls of Privernum and placed a strong garrison in it. They ordered Vitruvius to be kept in prison till the consul should return, and then to be scourged and put to death. They voted that his house, which stood on the Palatine hill, should be razed, and his goods consecrated to Semo Sancus (*b*). With the money arising from the sale were purchased globes of brass, which were set up in the little chapel of Sancus opposite to the temple of Quirinus. With regard to the senate of Privernum, they ordered, that those of that body who had remained in the place, after the inhabitants revolted from the Romans, should dwell on the other side the Tiber, under the same penalty with the inhabitants of Velitræ (*c*). After these resolutions there was no mention made of the Privernates till the time of Plautius's triumph. But this being over, and Vitruvius with his accomplices in the rebellion put to death, as the public seemed to be glutted with the punishment of the guilty, and the consul judging it a seasonable opportunity to mention them, said, "Conscript fathers, since the authors of the revolt of the Privernates, have received condign punishment both from the immortal gods and from you, what is your pleasure with regard to the innocent mul-

titude ? For, though indeed it is rather my duty to ask your opinions than to give my own, yet when I consider that the Privernates are neighbours to the Samnites, with whom we have but very uncertain peace. I would have as little ground for resentment between them and us as possible."

XXI. While the fate of this motion was yet uncertain, some advising mild and others rigorous measures, according to their different dispositions, one of the deputies of the Privernates recalling to his mind the condition in which he had been born, rather than his present sad situation, rendered it still more precarious. This man being asked by one of the senators, who had proposed to treat them with severity, "What punishment he thought his countrymen deserved," he replied, "Such as those deserve who deem themselves worthy of being free." When the consul perceived that those who before opposed the cause of the Privernates were more exasperated by this haughty answer, that he might draw from him a milder one by a kind question, he said, "What kind of peace can we expect to have with you, if we should forgive you?" "Fixed and perpetual," replied he, "if you grant us a good one: but if it is a bad one it will be of no long continuance." Some considered these words of the Privernate as an open menace, and tending to excite his countrymen, who were quiet, to revolt. But the more judicious part of the senate put a more favourable construction upon the answers, and said, "the deputy had spoken like a brave man and one that was free. Can you believe," added they, "that any people or single man will remain in a condition they are weary of, longer than necessity obliges them? Peace can only be faithfully observed by those who make it with a good will, but no fidelity is to be expected from a people by those who would reduce them to slavery." The consul himself contributed most to bring over the senate to this opinion, by calling out frequently to those who had been formerly consuls, and gave their opinions first, so loud that many members could hear him, "That they only were worthy to become Romans who were jealous of their liberty above all things." By this means they carried their point in the senate, and by their order a bill was presented to the people, for granting the Privernates the freedom of Rome. The same year three hundred citizens were sent as a colony to Anxur, and each had two acres of land assigned him.

XXII. The next year, P. Plautius Proculus and P. Cornelius Scapula being consuls, nothing remarkable happened at home or abroad, except that a colony was sent to Fregellæ (*a*), a city



which had formerly belonged to the Sidicini, and since to the Volsci; and M. Flavius made a distribution of raw flesh at the funeral of his mother. Some imagined, that under pretext of doing her honour he took an opportunity of making that grateful return to the people, which they deserved for acquitting him, when he had been accused before the ædiles for debauching a married woman. This dole in gratitude for a past sentence proved the cause of conferring honour upon him; for in the next comitia he was preferred to those who were competitors for the tribuneship of the people. Not far from Fregellæ stood the city Palæopolis (*b*), where now stands the city of Naples. The same people dwelt in the two cities. They had come from Cumæ (*c*). The Cumani derived their original from the capital (*d*) of Eubœa (*e*). By means of the fleet in which they had been transported from their native country, their power was considerable along the coast which they inhabited. They landed first upon the islands Ænaria (*f*) and Pathecusa (*g*), after that they ventured to remove, and settled on the continent. The Palæopolitans, depending on their own strength, and that the Samnites would break their treaty with the Romans, or trusting to a pestilence, which was said to rage at Rome at that time, committed many hostilities against the Romans who inhabited the lands of Campania and Falernum. For this reason, L. Cornelius Lentulus, and Q. Publilius Philo for the second time, being consuls, after the Feciales had been sent to Palæopolis to demand restitution of goods, and the Greeks, a people more daring in words than brave in action, having returned a haughty answer, the people with consent of the fathers resolved to make war upon them. The consuls therefore shared their provinces by lot. It was the lot of Publilius to carry on the war against the Greeks. Cornelius with another army marched to observe the motions of the Samnites. For it was reported that they were waiting for the revolt of the Campanians, and that as soon as they had brought them into their measures, they would join their own troops with theirs. For that reason Cornelius deemed it expedient to keep a standing camp in their vicinity. Both consuls sent notice to the senate, that they had little reason to expect that the Samnites would remain quiet.

\*XXIII. Publilius informed them, that two thousand soldiers belonging to Nola, and four thousand Samnites had entered into Palæopolis, rather by force than with consent of the Greeks. Cornelius sent them word, that the magistrates of Samnium had ordered a levy to be made, that all the country was impatient for

war, and openly endeavoured to seduce their neighbours the Privernates, Fundians, and Formians. Upon this, the Romans deemed it proper, before they commenced hostilities, to send ambassadors to the Samnites. They returned with an haughty answer. The Samnites highly complained of the injuries of the Romans, and were equally careful to justify themselves with regard to what the latter laid to their charge. "The Greeks," they said, "had received no assistance by any order of their state. They had not seduced the inhabitants of Fundi and Formiæ, because if the Romans would have a war, they did not despair of being able to maintain it by their own strength. They could not dissemble their displeasure that the Romans had rebuilt Fregellæ, a city which the Samnites had taken from the Volsci and destroyed, and placed a colony in the country of the Samnites, which the people they had planted there called by the old name Fregellæ. And if those, who had done them this wrong, did not make them reparation, they would do their utmost to wipe off the affront and reproach cast upon them thereby." When the Roman ambassador desired them to refer the matter to the arbitration of their common friends and allies, the Samnite senate replied, "Why should we not deal plainly? Our differences cannot be decided either by the smooth words of ambassadors, or the arbitration of any man, but by our swords, the common fate of war, and the plains of Campania in which we must engage. Let us encamp therefore opposite to each other between Capua and Suessula, and there determine whether the Samnites or Romans shall give laws to Italy." The Roman ambassadors answered, "That they would not go to the place to which the enemy had challenged them, but wherever their generals should lead them." Publius, by this time, having posted himself conveniently between Palæopolis and Naples, had cut off all communication between them, and thereby prevented their sending assistance to each other, which they were wont to do when either of the cities were straitened. But as the day of election approached, and Publius was ready to attack the enemy's city, it would have been detrimental to the republic to have recalled him, especially as he had daily hopes of taking it; for this reason the tribunes were prevailed upon to petition the people, that Publius, after his consulate should be ended, should continue the war in quality of proconsul, till the Greeks should be entirely reduced. And as the senate did not think fit to recall Cornelius, who had already entered Samnium, from the prosecution of the war, they sent letters to him, desiring him to nominate a dictator to hold the comitia. He named M. Claudius Marcellus,



who chose Sp. Posthumius to be his general of horse. However, a dispute arising concerning the validity of his nomination, the dictator did not hold the comitia. And the augurs being consulted about it, declared that there had been some defect in it. But the tribunes in their invectives represented this conduct as suspicious and unfair. For they said, "It could not have been an easy matter to come to the knowledge of that defect, seeing the consul had declared the dictator in the beginning of the dead time of the night, and had not written to any person either publicly or privately about it. That there was not a single mortal, who could say he had either seen or heard any thing that could invalidate the auspices; nor could the augurs, sitting at Rome, discover what defect could happen to the consul in his camp. Who is there, added they, that does not plainly see that a plebeian dictator is the only defect the augurs could find?" But all these and other complaints of the tribunes proved ineffectual; for the government fell into an interregnum, and after the comitia had been put off several times upon different pretexts, at length Lucius Æmilius the fourteenth interrex, created C. Pœtelius and L. Papirius Mugillanus consuls. In some annals I find the latter surnamed Cursor.

XXIV. The same year it is said that the city of Alexandria in Egypt was founded, and Alexander king of Epirus slain by a Lucanian exile, whereby was verified the oracle of Jupiter of Dodona (*a*). When the Tarentines had sent for him into Italy, the oracle had forewarned him to beware of the waters of Acheron (*b*) and the city Pandosia (*c*), because he should finish his days there. For this reason he made the greater haste to pass over into Italy, that he might be at a distance from the city Pandosia in Epirus, and the river Acheron which runs from the district Molissis into the infernal lake, and from thence empties itself into the gulph of Threspotia (*d*). But as people by endeavouring to avoid their fate often run headlong upon it, so Alexander after he had often routed the legions of the Lucanians and Bruttians, made himself master of Heraclea (*e*) a colony of the Tarentines, taken Consentia (*f*) and Sipontus (*g*) from the Lucanians, Terina (*h*) from the Bruttians, and several other cities belonging to the Messapians and the Lucanians, and had sent three hundred noble families into Epirus, whom he intended to keep as hostages; he posted his army near Pandosia on three hills at a small distance from one another, overlooking the territories of the Lucanians and Bruttians, from whence he sent out parties all round to make incursions into the enemy's land. He had as

a trusty guard about his person two hundred Lucanian exiles: but they, as is common with such persons, changed their fidelity with the fortune of those on whom they depended. The continual rains which fell overflowing the vallies, cut off the communication between the three bodies of the king's army; and the enemy falling suddenly upon the two posts where the king was not, cut them off entirely, and then brought all their forces to blockade the king himself. Upon this, the Lucanian exiles sent messengers to their countrymen, and having obtained a promise that they should be permitted to return home in safety, engaged to deliver up the king either dead or alive. But Alexander with a choice body of men made a bold attempt, for he broke through the middle of his enemies, engaged with the Lucanian general hand to hand and slew him. He then assembled his men who had been dispersed through the country after their rout, and came to a river where the ruins of a bridge, which the violence of the waters had broken down, gave some hopes of a passage. As the army was crossing this river at a dangerous ford, a soldier who was afraid and fatigued, cursing its unlucky name, said, "Thou art justly called Acheros, a river of sorrow." As soon as the king heard this, he immediately bethought himself of his destiny, and hesitated a little whether he should pass the river or not. Upon this one Sotimus, one of the king's pages, having asked him why he delayed to go forward, considering he was in so great danger, informed him that the treacherous Lucanians sought an opportunity to betray him. At this the king looked behind him, and seeing them at a distance coming up in a body, drew his sword and spurred his horse into the middle of the river. He had already reached the shallow water on the opposite side, when a Lucanian exile at a great distance lanced a dart at him and slew him. He fell immediately into the river, which carried his body with the javelin sticking in it to a post belonging to the enemy. There they mangled it in a horrible manner; for having cut it through the middle, they sent one half to Consentia, and kept the other themselves to make sport with. As they were throwing darts and stones at it at a distance, a woman mingling herself with the crowd, who carried their rage beyond the pitch of human resentment, with tears in her eyes entreated them to desist from these outrages, telling them that her husband and children were taken by the enemy, and that she hoped to be able to redeem them with the king's body though terribly mangled. Upon this they desisted, and by the care of one woman all the scattered parts that could be found, were buried at

Consentia. His bones were carried to Metapontus to his subjects, and from thence conveyed to Epirus to his wife Cleopatra and his sister Olympias; the former of whom was the sister and the latter the mother of Alexander the great. Let it suffice to have given this brief account of the tragical end of Alexander king of Epirus, whom we thought fit to mention, because he carried on several wars in Italy, though fortune suffered him to have none with the Romans.

XXV. The same year there was a lectisternium at Rome in order to appease the gods, which was the fifth entertainment made for that purpose, since the building of the city. For after the new consuls had sent the Feciales to declare war against the Samnites, and while they were making greater preparations of all kinds against them than against the Greeks, some new auxiliaries joined them at a time when they had no such expectations. For the Lucanians (*a*) and Apulians (*b*), nations who had no correspondence with the Roman people before this time, submitted to them, proposing to furnish men and arms for the war. Upon which they were received as allies, and a treaty was concluded with them. At the same time the war was carried on successfully in Samnium, for three cities, Allifa (*c*), Callifæ (*d*), and Ruffrium (*e*) were subdued by the Romans, and the consul at his first coming ravaged the rest of their lands far and near. This war being thus happily begun, the other, by which the Greeks were blockaded, was at the same time brought to a conclusion. For besides that the communication between the enemy's fortifications being stopt, and thereby one part of them cut off from the other, they suffered greater hardships within their own walls, than those wherewith the enemy threatened them; and as if they had been absolute captives to their own garrisons, their children and wives were abused, and they underwent the severest miseries to which conquered cities are exposed. Therefore upon a report that fresh assistance was coming from the Tarentines and Samnites, they thought they had more of the latter already within their walls than they wished for, and the Greeks with as great impatience looked for their countrymen the Tarentines to assist them to make head against the Samnite and Nolan soldiers, as to oppose the Romans their declared enemies. At last to surrender to the Romans seemed the least of all these evils. Charilaus and Nymphius, the leading men of the city, having communicated their design one to another, divided the execution of the enterprize between them. One of them was to go over to the Roman general as a deserter, and the other to stay in the city to prepare

matters there. Charilaus was the person who came to Publius Philo. "He said, he had resolved to deliver up the walls of the city to him, and prayed it might be lucky, happy, and auspicious to the people of Rome and Palæopolis. It depended on the fidelity of the Romans to determine, whether his country should seem to be saved or betrayed by that step. He made no private treaty nor asked any favour for himself, he came not so much to make any treaty for his country as to intercede in its behalf, that if his enterprize should succeed, the Roman people would rather consider with how much zeal and danger they had sought their friendship, than the folly and rashness with which they had despised it." After being commended by the general, he received from him three thousand men in order to seize that part of the town where the Samnites were posted. The command of the party was given to L. Quintius a legionary tribune.

XXVI. At the same time Nymphius applied to the Samnite commander, and by representing to him that as all the Roman forces were employed either in Samnium or about Palæopolis, had artfully prevailed on him to suffer him to sail round with the fleet to the Roman territory, promising to ravage not only their sea-coast, but also the neighbourhood of Rome. But to prevent their discovering his design, he must set sail in the night time, and for that purpose launch the ships immediately. In order to hasten the departure of the fleet, all the Samnite youth, except the necessary guard of the city, were sent to the shore. While Nymphius wasted time, by giving contrary orders to different persons on purpose, and the crowd confused one another in the dark, Charilaus was admitted into the city by his friends according to concert, and having filled the highest parts of it with Roman soldiers ordered them to set up a shout. The Greeks had notice of it from their chiefs and did not stir. The Nolan soldiers broke out through a back part of the city, and fled the way to Nola. The Samnites for the present thought their being shut out of the city a convenience, because they were thereby the better qualified to shift for themselves, but after they were out of danger it seemed to add to the disgrace of their flight; for having left all their baggage in the hands of the enemy, they were even without their arms exposed to the ridicule both of strangers and their own countrymen, and returned home stript and destitute of every thing. I am not ignorant that there is another account, that this city was betrayed by the Samnites; but I am more inclined to follow the historians of greatest credit. Besides the treaty concluded with the people of Naples, for that city was from that time the capital

of the Grecian state, makes it more probable they voluntarily became friends. Publius had a triumph granted him, because it was firmly believed the enemy had been so straitened by the blockade that they had been obliged to surrender. A double unprecedented honour was conferred on this man; for he was continued in his authority beyond the usual time, which had never been done to any person before him; and obtained a triumph after his honourable command was expired.

XXVII. Soon after another war broke out with the Greeks inhabiting the other coast of Italy. For after the Tarentines had for some time buoyed up the Palæopolitans with vain hopes of assistance which they never sent them, when they heard the Romans were put in possession of their city, they inveighed against them, as if they had not disappointed them, but had been disappointed by them, and were transported with fury and hatred against the Romans. Their resentment was further heightened upon receiving advice that the Lucanians and Apulians had put themselves under the protection of the Romans, for the treaties with both these nations were begun that year. "They said the Romans were come nigh to them, and matters were brought to that pass, that they must either have them as their lords or their enemies. That the fate of their state really depended on the event of the war with the Samnites, who were the only nation that remained as a barrier to them, and much weakened since the revolt of the Lucanians, whom it was still possible to prevail upon to renounce their alliance with Rome, and even yet to bring them back to the common cause, by using some contrivance to sow discord between them and their protectors." As they who studied to embroil matters approved of this design, they hired some young Lucanians, who were rather men of quality in their own country than persons of honour. After they had beaten one another with rods, they ran naked into the assemblies of their countrymen and cried out, that because they had ventured to enter the Roman camp, they had been whipped by the consuls in that cruel manner, and narrowly escaped losing their heads. As the sight was naturally shocking, and had more the appearance of an injury than of an imposture, the people in a rage obliged their magistrates with their outcries to assemble their senate. Some of them surrounding the senators called out for war, while others were dispersed about the country to stir up the farmers to take arms. And the outcry having discomposed even the soundest judgments, the senate came to a resolution that their alliance with the Samnites should be renewed, and ambassadors sent to them

for that purpose. Because this sudden resolution seemed to be formed without any just reason, the Samnites could scarcely give credit to it, and therefore obliged them to give them hostages and to admit Samnite garrisons into their fortified towns. The Lucanians, blinded with passion and the imposture, submitted to every thing. In a short time after the cheat began to come to light, after the authors of the calumny had withdrawn to Tarentum; but as the Lucanians had tied up their hands, nothing remained but a fruitless repentance.

XXVIII. This year was in some measure a new beginning of liberty to the commons of Rome, because debtors were no longer adjudged to servitude for the payment of their debts. The former law concerning them was changed on account of the detestable passion, and remarkable cruelty of one usurer. L. Papirius was the man. One C. Publius had made himself a slave to him in order to pay his father's debts. His age and beauty, which might have excited the compassion of his master, enflamed him with infamous lust. Papirius looking upon the bloom of his youth as the casual interest of his debt, at first endeavoured to entice Publius with lewd speeches. But when he found that he gave no ear to his vile solicitations, he proceeded to terrify him with menaces, and every now and then put him in mind of his condition. At last, when he found that he had a greater regard for his honour than present ease, he ordered him to be stript and whipped. The young man being torn all over his body, ran into the forum complaining of the base designs and cruelty of the usurer. A great crowd of people moved with compassion for the young man, provoked at the horrid indignity offered him, and likewise from a regard to their own interest and the honour of their children, flocked into the forum and hurried from thence in a body to the senate-house. The consuls were obliged by this sudden tumult to assemble the senate, and as the fathers entered the house, the citizens fell down at their feet and shewed them the young man's back all torn with rods. Thus on account of the outrageous insult offered to one man, the bond of public faith was that day dissolved, and the consuls were ordered to propose a bill to the people, enacting, "that no person should be kept in irons or any other bonds, but for crimes that deserved them, and that only till the criminal had suffered the punishment due by law. And that creditors should have a right to attach the goods and not the persons of their debtors." Upon this those who were in servitude for debt were discharged; and provision made for the future, that none should be hereafter detained therein on that account.

XXIX. The same year when the war with the Samnites, the sudden revolt of the Lucanians and the Tarentines the authors of it, gave the fathers sufficient uneasiness, it happened that the Vestini (*a*) took part with the Samnites. But this confederacy was rather canvassed in common conversation, than debated in any public assembly. Wherefore the consuls, L. Furius Camillus for the third time, and Junius Brutus Scæva made it their first concern to consult the senate about it. And though it was a new affair, yet the fathers were so much embarrassed, that they equally dreaded to undertake the war and to forbear it. For if they let the Vestini escape with impunity, they were afraid of encouraging their neighbours to fall upon them, out of mere wantonness and pride; but on the other hand, if they should chastise them as they deserved, they were apprehensive that an instance of severity, which so nearly affected themselves, would determine the nations about to take arms either out of resentment or fear. The united armies of the Marsi, Peligni, and Marrucini, were at least every way equal to the Samnites, and the Romans made no doubt but these nations would take up arms in favour of the Vestini, if they should attack them. However the party that discovered more courage than precaution, prevailed at present, and the event convinced them that fortune favours the brave. The people with the consent of the senate ordered war to be declared against the Vestini. That province fell to Brutus by lot, and Camillus had Samnium. Armies were led to both places, and the care which the enemy was obliged to take to defend their own territories, hindered them from joining their forces. It happened that L. Furius, on whom the stress of the war lay, was seized with a violent distemper and quitted the command of the army. Being ordered to nominate a dictator to prosecute the war, he pitched upon L. Papirius Cursor, who was by far the greatest general of his age. He appointed Q. Fabius Maximus Rullianus his general of horse. These two commanders distinguished themselves in their office by their noble exploits, but they became more remarkable by their quarrel, which had like to have brought them to blows. The other consul committed all manner of hostilities against the Vestini, and met always with the same success. For he ravaged their country, and by plundering and burning their houses and standing corn, forced them to hazard a battle, and in one action, which, however, cost the Romans a great deal of blood, so weakened the enemy, that they not only fled back into their camp, but not thinking themselves secure in their lines, stole away into their towns and resolved to defend themselves within

their walls. At last he laid siege to their cities, and by the great ardour of his men, and their resentment on account of the wounds which most of them had received in the battle, he first scaled Cutina (*b*), and after that Cinglia (*c*). He gave the plunder of both cities to his soldiers, because neither the enemy's gates nor walls had been able to discourage them.

XXX. The dictator marched into Samnium, but there was something uncertain in the auspices: however this did not affect the war, for that was carried on successfully, but the generals, whose mutual animosity transported them even to rage and fury. For Papirius by the advice of the augur returned to Rome to renew the auspices, he ordered the general of the horse to keep himself in his post and not to fight the enemy in his absence. Fabius after the dictator's departure was informed by his scouts that the enemy were as secure and remiss in their duty, as if there had not been a single Roman in Samnium. Upon which this young officer either highly provoked, because all the power seemed to be lodged in the dictator, or tempted by an opportunity of fighting the enemy to advantage, marched with his army in the order of battle, and ready for action, to Imbrinium (*a*), for that was the name of the place, and there engaged the Samnites. The success of the battle was such, that nothing more could have been done by the dictator if he had been there in person; the general and the soldiers performed their parts gallantly, and answered the favourable expectations they entertained of one another. The horse likewise, after several unsuccessful attempts to break through the Samnite army, by the advice of L. Cominius a legionary tribune, unbridled their horses and spurred them with so much fury against the enemy, that they could not stand the violence of the charge. They hewed the arms and cut down all the men they met in their way. The foot seconded the attack of the cavalry, and fell upon the enemy when in disorder. It is said that twenty thousand of them were slain that day. I find in some authors that Fabius engaged the enemy twice in the dictator's absence, and obtained two signal victories over them. But most ancient historians speak only of one battle; and some annals make no mention of the affair at all. The general of the horse, having got much booty by the great slaughter he had made of the enemy, piled up the arms in a large heap, and burnt them to ashes; either because he had vowed to dedicate them to some god, or according to Fabius the historian, that the dictator might not reap the fruit of his victory, by inserting his own name in the inscription, or causing the spoils to be carried before him in his triumph. The



letters likewise with the account of his victory, which he sent to the senate and not to the dictator, are a proof that he had no design to allow him any share of his glory. This was certainly the interpretation that Papirius put upon it; for while others rejoiced on account of the victory, he looked sad and breathed revenge. He also immediately dismissed the senate, hurried out of the house, and asserted in all places that the majesty of the dictatorship and military discipline had been as really defeated by the general of the horse, and suffered as much from him as the Samnite legions, if his contempt of authority should escape unpunished. Then he set out post for the camp, breathing menaces and vengeance; howbeit he could not get thither, before Fabius had accounts of his coming. For some expresses had come from the city to inform him the dictator was upon his way, that he was eagerly bent to punish him, and almost in every other sentence commended the severity of T. Manlius.

XXXL Upon this advice, Fabius immediately assembled the army, "and conjured the soldiers to defend him against the arbitrary cruelty of the dictator with the same courage with which they had defended the republic against her most implacable enemies, in the late battle gained under his auspices and conduct. The dictator," said he, "is coming transported with jealousy and envy at the bravery and success of his neighbour: he is madly enraged at the advantage gained over the enemy in his absence, and would willingly, if he could, transfer the victory from the Romans to the Samnites. He declares in all places, that I have despised his orders, as if those orders not to fight had not proceeded from the same spirit of jealousy, which makes him uneasy at our victory. It was spite which made him ambitious to keep others from exerting their courage; he would have taken the arms from the soldiers, though they were most eager to use them, that they might be obliged to remain inactive in his absence. L. Papirius is now displeased, and even transported with rage, because the soldiers have used their hands and arms without him, and L. Fabius has considered himself as general of the horse, and not one of the dictator's serjeants. What would he have done if we had lost the battle, as we might, considering the uncertainty of events, and the common fate of war; when he threatens the general of the horse with death, after he has defeated the enemy and gained as complete a victory as he could have done himself, with all his superior abilities? However, he bears no greater resentment against the general of the horse, than against the legionary tribunes, the centurions and soldiers themselves. If

he could he would wreck his vengeance on them all, but as he cannot do this, he intends to cause it to fall upon one. Jealousy like a flame flies upwards, and accordingly Papirius attacked the head and chief of the enterprize. But when he shall have taken from him his life and the glory of the victory, he would exercise his arbitrary power over the army as so many prisoners, and dare to treat the soldiers as he had done the general of the horse. In defending his cause," he said, "they would defend their common liberty. And if they were as unanimous in maintaining their victory as they had been in gaining it, and all united in favour of one single person, they could not fail to dispose the dictator to more moderate measures; but to conclude, he committed his life and fortune to their protection and valour."

XXXII. Immediately the whole assembly, setting up a shout, bade him be of good courage, for no man should hurt him while the legions were safe. The dictator soon after arrived, and immediately assembled the army by sound of trumpet. When silence was proclaimed, the crier summoned Q. Fabius, general of the horse, to appear, and upon his arrival at the foot of the tribunal, Papirius thus accosted him: "Q. Fabius," said he, "since the authority of the dictator is the highest in the republic, if the consuls who have succeeded the kings in their power, and the pre-tors, who are created with the same auspices as the consuls, obey him, I ask you, whether you deem it reasonable that a general of horse should be obedient to his orders or not? and since you knew that I had come from home with uncertain auspices, whether I should, while these religious scruple remained, have exposed the republic to danger, or returned to the city to consult the gods anew, that I might do nothing with doubtful omens? Lastly, tell me whether the general of horse, as if he depended on neither gods nor men, should not have been restrained from acting by the same religious scruples which hindered the dictator himself? Why do I ask these questions, imagine that I had departed without saying a word, you ought yet to have directed your conduct according to the best interpretation you could have made of my intention. Why do you not answer, did I not expressly forbid you to attempt any enterprize in my absence? Did not I forbid you to give the enemy battle? How then have you dared, while the auspices were yet doubtful, and before my religious scruples were satisfied, to fight in contempt of my orders, in defiance of military subordination, the discipline of our ancestors, and the will of the gods? Answer these interrogatories distinctly, and without the least evasion. Come hither, lictor."

As it was not easy for Fabius to give a particular answer to these questions, he sometimes complained, that the same person was both his accuser and judge, and sometimes exclaimed that he might sooner deprive him of life than of the glory of his noble achievements; at last he by turns endeavoured to vindicate himself, and then became his own accuser. In the meantime Papirius, his passion being renewed afresh, ordered him to be stripped, and the axes and rods to be prepared. Fabius implored the protection of the soldiers, and while the lictors were proceeding to tear off his clothes, he took refuge among the triarii, who began to mutiny. Upon this the clamour spread throughout the army; in some places prayers, in others menaces were heard. They who happened to stand nearest the tribunal, as they were within the view of their general, and could be distinguished by him, intreated him to spare his general of horse, and not to condemn him. Those of the assembly who stood at the greatest distance, and those in the circle about Fabius, upbraided the dictator for his cruelty. They were near breaking out into an open mutiny, nor did those round the tribunal remain unmoved. The lieutenant generals, who stood round his chair, besought him to defer the execution till the next day, to allow his passion to cool, and to consider the matter calmly. They represented to him, that "The imprudence of the young man had been sufficiently chastised, and the glory of his victory was tarnished; and therefore conjured him not to extend his severity so far as to inflict upon him the punishment; not to brand a young patrician of great hopes, whose father was one of the most illustrious persons in the state, and the whole Fabian family, with so much infamy." But when neither their prayers nor their arguments made any impression upon him, they desired him to cast his eyes upon the assembly who were all in a ferment. They in vain represented "That it neither became his age nor his wisdom to furnish fuel to a sedition, or blow up the fire, while the minds of the soldiers were in such a violent passion. If he should excite the whole army to revolt by his obstinacy, no one would blame Q. Fabius, who only begged him to remit his punishment, but himself, who, blinded by resentment, had brought matters to that extremity. And lastly, that he might not imagine that they were so importunate from any regard to Q. Fabius, they were ready to take an oath, that it was not consistent with the public welfare to punish him at that juncture."

XXXIII. But these discourses of the lieutenant-generals rather inflamed the dictator against themselves than softened him in favour of Fabius. He ordered them to leave the tribunal. The

crier attempted in vain to cause silence, for the noise and outcries were so loud, that neither the dictator nor his officers could be heard. But night came on and put an end to the dispute, as it sometimes happens in battle. The general of the horse was ordered to appear next day, but as every one assured him, that Papirius would be more enflamed than ever, as he was provoked and his rage increased by the opposition he had met with, he fled secretly out of the camp in the night and went to Rome. By the advice of his father M. Fabius, who had been thrice consul, and dictator, the senate was immediately assembled, and while he was complaining bitterly to the fathers of the violence and injustice of the dictator, they suddenly heard at the porch-gate of the house the noise occasioned by the lictors dispersing the people. Papirius himself followed in a great rage; for he had no sooner received information that Fabius had fled from the camp than he pursued him with light horse. Upon this the debate was renewed. The dictator commanded Fabius to be seized. The chief of the fathers, and the whole body of the senate, intreated him to moderate the severity of his sentence; however, when nothing could move him to alter his cruel sentence, M. Fabius, the father of the young man, thus addressed himself to Papirius, "Since neither the authority of the senate, nor my age, which you would make childless, nor the bravery and high rank of the general of horse who was chosen by yourself, nor prayers which have often softened an enemy, and do appease the anger of the gods, make any impression upon you, I appeal to the people, and implore the protection of their tribunes. And though you refuse the judgment both of the senate and army, I now propose a judge, who alone has a power and authority superior to your dictatorship. I shall see if you will submit to an appeal to which king Tullus himself submitted." They went directly out of the senate-house to the assembly of the people. Thither the dictator came with a few attendants, while the general of horse was guarded by all the people of distinction in Rome. Young Fabius mounted the tribune of harangues, and Papirius ordered him to be taken down. His father following him said, "You do well in ordering us to be taken down from a place, from whence, even though we were private persons, we have a right to speak." The cause was not at first pleaded by continued harangues, for nothing except wrangling was to be heard. But at length the elder Fabius, exalting his voice with the greatest indignation, calmed the noise, whilst he burst forth into the bitterest invectives against the pride and cruelty of Papirius. He said, "he had been dicta-

tor at Rome, and no man, neither plebeian, centurion, nor soldier, had been injured by him. But Papirius endeavoured to obtain a victory and triumph over a Roman general with as much eagerness as over those of the enemy. What a vast difference was there between the moderation of the antients, and the pride and cruelty upon which people valued themselves at the present time. Q. Cincinnatus the dictator had inflicted no other punishment on L. Minucius the consul, whom he had rescued from the hands of the enemy who besieged him in his camp, than degrading him from commanding as consul to the rank of lieutenant-general; M. Furius Camillus, when L. Furius, despising his age and authority, gave battle and was totally defeated, not only moderated his passion so far at that time as to write nothing to his disadvantage either to the senate or people, but even after his return to Rome, when the senate permitted him to chuse any of the military tribunes whom he pleased for his colleague, he preferred him to all the rest. The Roman people, whose power was sovereign and independent, had never carried their resentment further against those who had either from rashness or ignorance lost their armies than to condemn them to a pecuniary fine. No general had to that day been tried for his life on account of his misconduct in war. Now, however, generals who had most justly deserved a triumph by defeating their enemies, were threatened with rods and axes, punishments, which ought not to be inflicted on them if they had been entirely routed by the enemy. What worse treatment could his son have suffered, if he had lost his army or been routed, put to flight and his camp taken? Could he carry his violence and resentment further than to scourge him and cut off his head? How unbecoming is it for all the citizens to rejoice for the victory gained by Fabius, to return thanks to the gods for their assistance, and to congratulate each other upon their success; if the same Fabius, for whose sake the temples are opened, the altars smoke with sacrifices, and are covered with incense and offerings, shall be stripped naked and cut with rods in the sight of the Roman people, citadel and capitol, of those gods whom he hath so successfully invoked in two different battles? With what temper will the army, which had conquered under his conduct and auspices, endure this indignity? What grief will it occasion in the Roman camp, and what matter of triumph to our enemies?" While he pleaded thus by way of expostulation and complaint of the dictator's cruelty, and invoked the protection of gods and men against him, he held his son fast in his arms and shed a flood of tears.

XXXIV. Fabius had the majesty of the senate, the favour of the people, the assistance of the tribunes, and the good wishes of the army on his side. Papirius, on the other hand, objected, "The sacredness of the Roman government, military discipline, the edict of the dictator which had hitherto been revered as an oracle, and the orders of Manlius who sacrificed his paternal affection to the public interest. That L. Brutus the founder of Roman liberty had done the same in the case of his two sons. But now, tender parents and fond old men looked with unconcern upon the contempt of another man's orders, and indulged in the subversion of military discipline as a matter of no consequence. He, however, would continue fixed in his resolution and remit nothing of the punishment which he deserved, who, in despite of the republic being embarrassed with religious scruples and doubtful auspices, had fought contrary to his express command. It was not in his power to perpetuate the dignity of the supreme command; but L. Papirius should never diminish it by the least act of his own. He wished the tribunician power, which is itself inviolable, would not by its opposition violate the majesty of the Roman empire, and the people of Rome would not in his person first abolish both the dictator and the power of the dictatorship. If they did, posterity would not blame Papirius, but the tribunes, and the mistaken judgment of the people. When military discipline is once infringed, the private soldier would no longer obey the centurion, the centurion the tribune, the tribune the lieutenant-general, the lieutenant-general the consul, nor the general of the horse the dictator; no one would reverence the authority either of gods or men, nor shew any regard to the orders of their generals or the auspices: the soldiers might wander up and down without furloughs, and commit ravages in the territories of our allies, as in those of our enemies; forgetting their oath, and guided solely by licentiousness, they might quit the service at will; leave their standards without any one to guard them, and not rendezvous when they were commanded, and disregard whether they fought by night or by day, in a favourable or disadvantageous place, with or without their generals' orders. In the event they would neither repair to their standards nor keep their ranks; and the whole soldiery, instead of being directed by their oaths and the inviolable rules of war, would become a mob of lawless and ungovernable banditti. Do you, tribunes of the people, charge yourselves with the guilt of these crimes to the end of the world! Expose your own heads to suffer for the crime of the disobedience of Q. Fabius!"

XXXV. While the tribunes stood astonished and were in greater perplexity for themselves than for him who had implored their assistance, they were delivered from that load of uneasiness by the Roman people, who with one consent prayed and intreated the dictator in the most importunate manner to pardon the general of horse for their sake. The tribunes, observing that the people had had recourse to petitions, followed their example and besought him to forgive this human frailty and youthful folly of Fabius; adding, that he had suffered punishment enough already. The young man likewise and his father M. Fabius, laying aside all debate, fell prostrate at the feet of the dictator and deprecated his wrath. Upon which, Papirius, after commanding silence, said, "I am satisfied, Romans; military discipline hath obtained the victory, the majesty of empire hath prevailed, after being both in danger of being overthrown for ever. Fabius, who fought contrary to the orders of his general, is not declared innocent, but being found guilty, is pardoned at the intercession of the Roman people and their tribunes, who have not employed the authority of their office but their prayers in his behalf. Live, Fabius, happier in having all orders of the state unanimously interesting themselves to save you, than in gaining the victory which made you so vain some days ago. Live, after having dared to commit a crime, which your own father, had he been in the place of L. Papirius, never would have pardoned. You shall be reconciled to me or not as you please. But with regard to the Roman people, to whom you owe your life, you can express no greater gratitude than by making what has been done this day a warning to you to submit to all the lawful commands of superior magistrates, both in peace and war." After Papirius had discharged Fabius, and had left the court, the senate were overjoyed at what had happened, but the people in still greater transports flocked about them, and followed, on the one hand congratulating the dictator, on the other the general of horse; and it appeared to all that the danger in which Fabius had been was no less conducive to the support of military discipline, than the lamentable death of young Manlius. It happened this year likewise, that as often as the dictator was absent from the army the Samnites put themselves in motion. Howbeit M. Valerius, the lieutenant-general, who commanded the camp, having the example of Fabius before his eyes, feared the cruel resentment of the dictator more than the attacks of the enemy. Wherefore when some foragers fell into an ambuscade and were cut to pieces by reason of the disadvantageousness of the place, it was generally believed that Valerius might have re-

lieved them, if he had not dreaded the rigorous commands of the dictator. This likewise served to alienate the hearts of the soldiers from the dictator, who had before disgusted them by his being inexorable in the case of Fabius, and refusing to pardon him at their earnest request, though he afterwards consented to it at the desire of the Roman people.

XXXVI. The dictator having in the city named L. Papirius Crassus general of the horse, and strictly forbidden Fabius to exercise any part of that office, returned to the camp. But his coming was not very acceptable to his own men, nor did it strike any terror into the enemy. For, the next day, being either ignorant that the dictator was arrived, or little regarding whether he were present or absent, they came up to the camp in order of battle. Howbeit so great were the abilities of this one man L. Papirius, that if the love of the soldiers had seconded the good conduct of their commander, there is no doubt but the Samnites might that day have been totally subdued. For he chose the most convenient ground, drew up his troops with the utmost dexterity, and strengthened them with bodies of reserve which he disposed with all the military skill he was master of. But his men would not perform their parts, and in order to sully the glory of their general, they purposely prevented his gaining the victory. The Samnites had many killed, and there were many wounded on the Roman side. This able general soon perceived what had obstructed his obtaining a complete victory. He was convinced he must moderate his temper, and use mildness with his severity. With this view, accompanied by the lieutenant-generals, he visited the wounded soldiers, entered their tents, and inquiring of them one by one how they were, particularly recommended them to the care of the lieutenant-generals, the tribunes, and prefects. These kind offices were in themselves popular, and performed in such an obliging manner, that he regained their affections much sooner than their wounds could be cured. And nothing more contributed to their speedy recovery, than the grateful feeling they had of their general's care. When his troops were fit for action he engaged the enemy; and both general and soldiers being in full hopes of victory, the Samnites were so completely routed that they never afterwards dared meet the dictator in the field. The victorious army then marched wherever the hopes of plunder directed them; they overran the enemy's country, and found no opposition either by open force or troops lodged in ambush. The dictator likewise encouraged his soldiers, by declaring that he would grant them all the plunder, and they were prompted to



take vengeance upon the enemy, as much by private interest as national resentment. The Samnites being subdued by these losses sued to the dictator for peace, which was granted them upon their agreeing to furnish each of his men a suit of clothes and a year's pay. But when they were ordered to go to Rome to obtain a ratification of the peace, they answered, they would follow the dictator thither, and committed their cause entirely to his protection and goodness. Thus the Roman army was withdrawn from the country of the Samnites.

XXXVII. The dictator entered the city in triumph, and when he intended to have resigned his office, the senate ordered him first to nominate C. Sulpicius Longus for the second time and Q. Æmilius Cerretanus consuls. The Samnites, without concluding a peace, because the senate could not agree about the terms of it, which they had still under their consideration, obtained only a truce for a year. Nor did they observe it faithfully, so strongly were their minds set upon war, after they heard that Papirius was out of his office. In the consulate of C. Sulpicius and Q. Æmilius, others say Aulius, besides the revolt of the Samnites, a new war broke out with the Apulians. Armies were sent to both places, the former fell to Sulpicius by lot, and the latter to Æmilius. Some historians say the Romans made no war upon the Apulians, but only defended the states of that nation their allies, from the violence and oppression of the Samnites. But the low condition of that people, who were scarce able at that time to defend themselves, makes it more probable, they did not attack the Apulians, but that the Romans made war upon both nations at once. After all, no remarkable action happened. The Romans ravaged Apulia and Samnium, but found the enemy in neither of them. About this time a panic happened in Rome by night, which raised the citizens out of their sleep and alarmed them to such a degree, that the capitol, the citadel, the walls and the gates were in an instant full of armed men. And though the people ran together from all places crying "to arms," yet at day-break they found neither the author nor the cause of their alarm. The same year, the inhabitants of Tusculum were tried before the Roman people, upon a bill preferred by M. Flavius the tribune, who proposed to punish them for advising and assisting the people of Velitræ and Privernum to make war upon the Romans. Upon this the inhabitants of that city came to Rome with their wives and children, and having changed their dress, went round the several tribes in the habit of suppliants, and fell prostrate at their feet. And by this means pity suggested a more effectual motive

to procure their pardon, than their plea afforded arguments for ruining the credit of the impeachment. All the tribes, except the Pollian, rejected the bill. The sentence of that tribe was, that all those who had attained to the age of fourteen should be scourged and beheaded, and their wives and children should be publicly exposed to sale by martial law. And it is certain that the Tusculans retained to the time of our fathers a lively sense of resentment against the authors of this severe sentence. And hardly a person of the Pollian tribe, who stood candidate for any office, ever used to get the votes of the (*a*) Papirian tribe.

XXXVIII. The following year, in the consulate of Q. Fabius and L. Fluvius, A. Cornelius Arvina dictator, and M. Fabius Ambustus general of the horse, having raised the levies in a stricter manner than ordinary, for fear of a very dangerous war in Samnium, because a report had spread that the people had hired all the youth of the neighbouring nations to assist them, led a gallant army against them. They pitched their camp in Samnium with as little precaution as if the enemy had been at a distance, when all of a sudden the Samnites came up with such contempt of their enemies that they carried forward their entrenchments even to the Roman advanced guard. The night coming on, prevented their making an attack upon the camp, but they threatened they would do it to morrow by day-break. When the dictator saw that he would be obliged to fight sooner than he expected, that the ground might be no disadvantage to the valour of his men, he kindled a great number of fires which he left burning, to hinder the enemy from observing his designs, and led his legions out of the camp in silence. But the Samnites were encamped so nigh, that they perceived his retreat. Their horse immediately followed the Romans close in the rear, yet they conducted their march in such a manner, as not to begin the attack, till it was day; nor were their infantry led out of their camp before that time. Then indeed their cavalry entered upon action, and by falling upon the rear guard of the Romans, and harassing them in narrow passes, retarded their march. In the mean time their foot overtook the horse, and the Romans were hard pressed by the united forces of the enemy. The dictator finding he could not continue his march without exposing his army to great loss, ordered the lines for his camp to be marked out in the place where he was; but as the enemy's cavalry were hovering about, it was impossible to come at palisades or to begin to work at the entrenchments. When he saw that he could neither go forward, nor stay where he was, he removed his baggage to some distance from the army

and drew up his men in battalia. The Samnites, who were not inferior to them either in number or courage, did the same. What increased their confidence was, their imagining that the Romans had not retired from them, on account of the disadvantage of the ground, and in this belief they had pursued them as fugitives and men terrified who dared not look them in the face. This likewise kept the balance equal for some time between the two parties, though for a long time before, the Samnites had not used to stand the first shout of the Roman army. But that day from nine in the morning till two in the afternoon, the victory was so doubtful, that they did not renew their shout, which they set up at the first onset, the ensigns neither advanced nor retired, nor did any part of the army on either side give ground. The soldiers pushed their adversaries with their bodies and bucklers, without giving themselves time either to breathe or look behind them; the noise on both sides was equal, and they were resolved to fight it out either till they were quite weary or till night came on. Now the strength of the men began to fail, their swords were blunted and the generals were at a loss what to do, when all of a sudden the Samnite horse, getting notice from one of their squadrons which had advanced beyond the rest, that the Roman baggage lay at a distance from their army, without any guard or fortification to defend it, were prompted through a greediness of plunder to fall upon it. When a messenger came in great haste to inform the dictator of it; "let them," replied he, "encumber themselves with the plunder." Soon after other messengers came, one after another, bawling out, that every thing that belonged to the soldiers was rifled and carried clear off. Upon which, he sent for the general of the horse and said to him, "Do you not see, M. Fabius, how the enemy's horse have quitted the battle? They are incapable to act being encumbered with our baggage. Go, fall upon them: you will find them dispersed, and which is always the case with those who are employed in plundering, few of them mounted or with weapons in their hands. Whilst they are loading their horses, kill them unarmed and make it a bloody booty to them. I shall take care that the foot do their duty; let the glory gained by the horse be yours."

XXXIX The Roman cavalry, drawn up in the best order possible, fell upon the enemy dispersed and encumbered with the plunder, and made a terrible slaughter of them. For the bundles which they had let suddenly fall, lying in their way as they fled, and entangling their own feet as well as those of their frightened horses, they were put to the sword without being able either to

fight or fly. M. Fabius having almost entirely cut off the enemy's cavalry, made a small circuit with his squadrons and fell upon the rear of the Samnite infantry. The sudden shout, which they set up, struck terror into the minds of the Samnites. At the same time, the dictator observed the vanguard of the enemy to look behind them, their ensigns in disorder, and their main body wavering to and fro, encouraged his men, and called upon the tribunes and the bravest of the centurions by name, to support him in renewing the battle. Having set up a shout, they advanced their standards, and the further they came, they saw the enemy in the greater confusion. Those in the front of the Roman legions could now observe their own horse; and the dictator turning to the companies behind him, both made signs with his hand and called out to them, that he saw the ensigns and bucklers of their own cavalry. As soon as the troops heard and observed this, they so entirely forgot the fatigue they had endured and the wounds they had received in a battle which lasted almost the whole day; that they charged the enemy with as much vigour, as if they had but just marched fresh out of their camp and received the signal of battle. The Samnites could no longer stand the terror of the horse and the violent attack of the foot; numbers of them were cut in pieces upon the spot and the rest dispersed. Those that stood were surrounded and killed by the infantry: they that fled were cut to pieces by the cavalry, and among the rest the Samnite general himself fell. This defeat reduced the power of the Samnites so low, that in all their assemblies they observed, "it was no wonder, they had met with such bad success, seeing they had begun an impious war, contrary to the faith of treaties, and exposed themselves more to the indignation of the gods than that of men. That this war was to be expiated and atoned for at a dear rate. And the only question was, whether it was better to shed the blood of a few criminals, or to sacrifice a whole innocent nation." Some of them even had the boldness to name the authors of the war; among others the name of Brutulus Papius was particularly heard in every body's mouth, above the rest. He was a man of distinction and interest in his country, and was without doubt the infringer of the late truce. The Samnite prætors being obliged to enquire into his conduct, ordered, "That Brutulus Papius should be delivered up to the Romans; and the Roman prisoners and plunder taken from them, and sent to Rome, and whatever their *feciales* had demanded, restored, according to justice and equity." Accordingly the *feciales* were dispatched to Rome with the dead body of Brutulus, for he had

laid violent hands on himself, in order to avoid disgrace and punishment. They thought proper likewise to deliver up his effects; but none of the things that were sent, except the prisoners and some part of the booty that the owners knew, were accepted; all the rest were offered but it was in vain, for the Romans rejected them. The dictator obtained a triumph by order of the senate.

XL. Some authors write that this war was finished by the consuls, and that they triumphed over the Samnites: they add likewise that Fabius advanced into Apulia, and carried thence a rich booty. It is agreed on all hands that Corneli<sup>us</sup> was dictator that year, but it is doubted whether he was created to carry on the war, or to preside at the Roman games and to give the signal for the chariots to start at the races, in the room of L. Plautius the prætor who was greatly indisposed, and resigned the dictatorship, after he had performed that trivial office, which scarce deserves mentioning. Nor is it an easy matter to prefer either one author or one account to another. For my part I suppose that the histories of these things have been corrupted by funeral orations and false inscriptions on images, every family endeavouring to ascribe to themselves the glory of performing gallant exploits, and of obtaining honours by specious but unfair representations of facts. And from hence, without doubt, arises the confusion we find in the account of the actions of particular persons, and in the public records. For there is no cotemporary author, upon whose authority we can rely with sufficient certainty.

THE END OF THE EIGHTH BOOK.

# THE HISTORY OF TITUS LIVIUS.

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## BOOK NINTH.

*The two consuls, Titus Veturius and Sp. Posthumius lead the Roman army into defiles at the forks of Caudium, and finding no other means of escaping, come to a composition with the Samnites, in consequence of which having delivered up six hundred knights as hostages, they bring off the rest of the army, but with the disgrace of passing under the yoke. By the advice of the same Posthumius, that the senate, to free the state from the engagement contracted in its name, should deliver up to the enemy all who were chargeable with the blame of that ignominious agreement, the consuls, two tribunes of the people, and all who had signed the treaty delivered up to the Samnites, but not accepted. Soon after Papirius Cursor, having defeated the Samnites, makes them pass under the yoke, recovers the six hundred knights who were given as hostages, and wipes off the stain of that infamous treaty. Two tribes added to those formerly established. Appius Claudius, being censor, brings the Claudian aqueduct into the city, paves the Appian way, and enrolls the sons of some freedmen among the senators. Because the senatorian order seemed polluted by the society of such unworthy persons, the consuls appointed for next year, in making up the roll of the senators, observe the regulations of the preceding censors. The Romans, after making war with good success against the Marsi, Peligni, and Samnites, renew the former treaties with them. Flavius the scribe, the grandson of a freedman, made curule ædile by the party of the city commoners. This party, because it disturbed the elections, stirred up confusion at the assemblies in the campus Martius, and by reason of its vast numbers domineered over the rest of the commons, disposed into four separate tribes by Q. Fabius, when he served as censor, and called the city tribes. This regulation procures Fabius the surname of Maximus. In this book Livy mentions Alexander the great, who flourished about this time, and after making an estimate of the power of the Romans, infers from it, that if that monarch had passed into Italy he would not have made such an easy conquest of them as of the eastern nations which he subjected to his empire.*

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I. THIS year was followed by the peace of Caudium, so famed for the disgrace of the Romans, which was concluded in the consulship of T. Veturius and Sp. Posthumius. Caius Pontius, the son of Herennus, was general of the Samnites that year. And as the father justly had the character of a person of consummate wisdom, so the son was one of the most considerable warriors and ablest generals of his time. This Pontius, when the ambassadors who had been sent to make restitution to the Romans returned without success in their negotiations for peace, addressed himself to his people in the following terms, "That ye may not think,

said he, this embassy has been altogether ineffectual, I must inform you, that all the wrath of heaven which was kindled against us for our breach of treaty is now quite appeased. I am absolutely certain that the same gods, who have been pleased to reduce us to the necessity of making the restitution demanded of us, have been displeased to see the satisfaction we offered so haughtily rejected by the Romans. What was it possible to do more for appeasing the gods or breaking the resentment of men than we have done already? We have restored the enemies' goods which were taken by our people, though by the law of arms they seemed to be ours. Because we could not give up the authors of the war alive, we delivered them up dead, and that nothing might remain with us, which should seem to have the least connexion with their crime, we carried their goods to Rome also. What further do I owe thee, Roman? What further obligation am I under with regard to the treaty or the gods, who were witnesses to it? What judge shall I appeal to, to settle the extent of thy resentment, or of my punishment? There is no state nor private person to whom I am not willing to submit my cause. But if human laws can be no protection to the poor and impotent against the oppression of the great and powerful, I will have recourse to the gods, whose province it is to take vengeance upon intolerable pride, and pray that they would turn their wrath against those who are not satisfied when they have obtained restitution of their own goods with the addition of other men's. Whose cruelty is not contented with the death of the guilty, even when their bodies and after them their goods are delivered into their hands. Who will be still implacable unless we give them our blood to drink, and our bowels to be torn in pieces. War is always just, Samnites, when it becomes unavoidable, and those who have no hope left but in their arms may employ them without offence to religion. Wherefore seeing in all human affairs it is of the greatest importance to distinguish between those things which are undertaken under the protection of the gods, from those which cannot be carried on without their displeasure; know for certain, that as in our former war we fought against the gods rather than men, so in this we are now engaging in we shall fight under the conduct of heaven, and be guided by its direction."

II. Having pronounced this prophecy, which in the event proved as true as it was comfortable, he drew out his army and pitched his camp as covertly as possible about Caudium, and hearing that the Roman army under the conduct of the two consuls was encamped at Calatia (*a*), he sent ten soldiers in the

habit of herdsmen, with orders to lead their cattle to different places near the Roman outguards, and when they should fall into the hands of their foragers to agree exactly in asserting that the Samnite legions were in Apulia, had invested Luceria(*b*) with all their forces, and were like to be soon masters of it. A report to this purpose had been industriously spread before, and by this time reached the Romans, but the testimony of the prisoners very much confirmed them in the belief of it; and this was principally owing to the agreement of their accounts, though they were separately examined. The Romans made no difficulty about assisting the people of Luceria, not only because they were their good and faithful allies, but also for fear that the dread of what they were suffering should induce all Apulia to revolt to the enemy, they only consulted about the route they were to observe in marching to their relief. For there were two roads which led to that city, the one by the coast of the Adriatic sea, which was broad and open, but as it was the safest it was at the same time further about: the other through the forks of Caudium(*c*) was much shorter, but the nature of that place is as follows. There are two deep and narrow passes covered over with woods, and joined together by a continued ridge of mountains on each side. Between them lies a large grassy and well watered plain, through the middle of which was the road, but before you can get at it, you must enter in at the first narrow pass, and either return back by the same way you came, or if you will proceed farther, make your way through the other pass yet more straight and unpassable than the former. The Romans, having marched their army through the cavity of a rock, arrived at this plain by one of these passes, but as they advanced to the other, they found it shut up, by trunks of trees laid across, and a heap of large stones raised against them. As this convinced them that their enemies had laid a snare for them, they also discovered a body of them on the top of the hill. Wherefore they marched back with all possible dispatch to the other pass at which they had entered, but this they also found barricaded with proper materials, and defended by a body of armed men. Upon this they halted without any order from their officers, and being all seized with a consternation that almost deprived them of the exercise of their reason and motion of their bodies, they gazed at one another, each expecting to find in his companion a better judgment and greater wisdom than in himself. When they had stood for some time in this posture silent and without motion, observing the consuls' tents pitched, and some persons making ready the instruments proper for carrying on the



ordinary works, though they were sensible their attempts to fortify themselves in this desperate state of affairs, when all hopes were quite gone, would only expose them to ridicule; yet that they might not add guilt to their other misfortunes, every one without waiting for orders applied himself to his own part of the work, and by this means drew a line round their camp which lay along the water. Meanwhile, besides that the enemy insulted them in a most haughty manner, the soldiers themselves could not forbear acknowledging in the most moving terms, that their works were to no purpose and all their labour fruitless. The consuls, oppressed with sorrow, called no council of war, because their circumstances left no room for council or debate, nor could any relief be expected from it, but the lieutenant-generals and tribunes came uncalled to attend them, and the soldiers turning to the tents of their two generals, demanded assistance from them, though the immortal gods themselves could scarce have given it.

III. Whilst they were lamenting their condition rather than consulting how to relieve it, the night came on, during which they murmured variously according to their different tempera. "Let us," says one of them, "break through the barriers that shut up our way. Let us," says another, "climb up the mountains, make a passage through the woods, or wherever we can carry our arms, if we can but meet the enemy, whom we have been accustomed to defeat for nearly thirty years, all places will be plain and open to the Romans while they fight against the perfidious Samnites. But where or by what way shall we go," says a third? "Are we able to remove mountains? While these high hills are over our heads, which way can we come at the enemy? Armed or unarmed, brave or cowards, we are all defeated and in the power of our enemies, they will not so much as employ their swords to give us an opportunity of dying with honour, but will sit still and put an end to the war." In such conversations they spent the night without thinking of refreshment or sleep. Nor did the Samnites know how to improve such an uncommon flow of prosperity. Therefore they thought proper to dispatch letters to Herennius Pontius their general's father for his advice upon this subject. This great man, now far advanced in years, had retired not only from all military but also civil employments. Yet with this body so much reduced by age, he employed an uncommon reach of thought and strength of judgment, wherefore upon hearing that the Roman army was shut up between the two narrow passes at Caudium, and being consulted by the courier whom his son had dispatched to him, he gave it as his

opinion, "That they should all be sent away as soon as possible without insult or injury." When this opinion was rejected and the same courier returned to consult him again, his advice was "To put them all without exception to the sword." These two contradictory opinions so much resembled the ambiguous responses of an oracle, that his son was among the most forward to suspect his father's understanding, by its connexion with a weak and crazy body, had begun to feel the infirmities of old age. Yet he was prevailed upon by the joint solicitation of all the rest to send for him. The old man without grudging the labour, is said to have been brought to the camp in a chariot, and when called into the council of war, made no alteration in the advices he had given, but only added the reasons of them. What he said upon that occasion was to this purpose, "By following his first advice, which he thought the best, they would lay the most powerful people of all Italy under a very strong obligation, and thereby establish peace with them and secure their friendship for ever. By the second they might stave off a war with the Romans for several ages, for that people must be so weakened by the entire loss of two armies, that in all that time they could scarce recover their strength. And to conclude he had no third advice to give." To this his son and the other principal officers of the Samnites replied by asking, "What he would think of it if they should take a middle course, and send their enemies away safe, but at the same time, as they were a conquered army, impose upon them such terms and conditions as the law of arms would justify?" "That," said old Herennius, "is a resolution which will neither increase the number of your friends, nor diminish that of your enemies. Save the lives of those whom you have just before disgraced and thereby provoked to the highest pitch, and see what will be the consequence? The Romans have it in their nature never to be quiet while they have the worst, they will always keep fresh in their minds the remembrance of any indignity which their present necessity may oblige them to submit to, nor will it ever suffer them to be at rest, till they have a severe revenge upon you."

IV. As neither of these advices was accepted, Herennius was carried home from the camp. And the Romans, having made several fruitless attempts to break their prison, as they began to be straitened in their camp for want of all provisions, submitted at last to necessity, and sent a deputation to the Samnites to sue for peace upon reasonable terms, or if that should be refused "To offer them battle." To this Pontius answered "That the war

was at an end, and seeing even when they were conquered, and made prisoners, they could not prevail on themselves to acknowledge their condition, he would strip them off their arms and make them pass under the yoke with one garment apiece. As to other conditions of peace he would put the conquerors and conquered upon a level, and only insist that all the lands of the Samnites should be restored, the Roman colonies withdrawn, and both nations henceforth live under their own laws and independent of one another. Upon those terms he was ready to enter into a treaty with the consuls, but if they should not approve of them, he charged the deputies to return to him no more." When the ambassadors reported this answer the whole army on a sudden fetched such groans, and was so oppressed with sorrow, that it could not be thought they would have been more afflicted, if they had had information, that they were all to suffer death in that place. After they had all been silent for a long time, as the consuls could say nothing in favour of a treaty so disgraceful, or against one which seemed so necessary, L. Lentulus, whose valour as well as the dignities he had borne set him at the head of all the lieutenant-generals in the army, spoke to this effect, "I have often, consuls," said he, "heard my father say, that he was the only person who advised the senate not to redeem the capitol out of the hands of the Gauls, by a sum of money, because their enemies, who were of all men the most ignorant and unexperienced in matters of fortification, had not shut them up with a moat and a rampart, and they had access to sally out and force their way through the besiegers, if not without great danger, yet at least without exposing themselves to certain and infallible ruin. Could we now but have an opportunity of engaging the enemy, either on equal, or disadvantageous ground, as our ancestors could have sallied out of the capitol upon their enemy, and the besieged in many cases have certainly done upon their assailants, I should, in giving my advice satisfy you that I have a good share of my father's spirit. I acknowledge, indeed, that it is glorious to die for one's country, and for my own part I am ready to devote myself for the Roman people and their legions, or to rush into the midst of the enemy. But I see my country here, the Roman legions are all here, and unless they will throw away their lives for their own sakes, what is it they can save by their death. Will any person say, that they may thus save the walls of the city, the houses and the crowd of people who inhabit them, so far from it that instead of being saved by the ruin of this army, they must all be effectually betrayed into the hands of the enemy.

For who pray will save them? Will it be a weak defenceless mob without arms in their hands, they will no doubt save them with the same success they had in protecting them against the attack of the Gauls. Or will they call their army from Veii, or prevail with Camillus to take the command? No surely, all our hope and strength is here, in preserving them we save our country, and giving them up to destruction we desert and betray it. But it will be shameful to surrender ourselves. I grant it, but our love to our country ought to be such as should determine us not only to suffer ingominy but even death, if it is necessary, to save it. Let us therefore consent to bear this indignity, however great, and submit to necessity, which the gods themselves cannot controul. Go then, consuls, and redeem, at the expence of your arms, that state which your ancestors ransomed by their gold."

V. The consuls upon this went to have an interview with Pontius, and the conqueror began to speak of a treaty; they said they could make no treaty without the approbation of the Roman people, nor without the *feciales* and the other usual ceremonies. Whence it appears that the peace of Caudium was not concluded by treaty, as it is commonly thought, and Claudius the historian has wrote, but by a promissory engagement. For what occasion could there be for persons to engage themselves by promise, or for hostages in a treaty, where the whole affair is concluded by this prayer, "That Jupiter would so strike the people by whose means the terms agreed upon shall be violated, as the *fecialis* strikes the hog which is offered as a victim (*a*)."

The consuls, lieutenant-generals, questors, and legionary tribunes, signed the convention, and their names are still extant; whereas if it had been a treaty, there would have been no names on record but those of the two *feciales*. And because the treaty was necessarily delayed for some time, Pontius demanded six hundred hostages, whose heads should be cut off if the convention were not strictly observed. After this a time was fixed for delivering the hostages, disarming the troops, and making them pass under the yoke. The return of the consuls renewed the lamentations in the camp, and raised the indignation of the soldiers to such a pitch, that it was with difficulty they could abstain from laying violent hands on those by whose rash conduct they had come into the fatal place, and by whose cowardice they were like to leave it with greater disgrace than they came. Who had not employed a guide to direct them in the way, nor sent out spies to discover the motions of the enemy, but like wild beasts had blindly hurried

themselves and their army into the pit. They stared at one another, looked at the arms they were to deliver up, their right hands which were on the point of being defenceless, and their bodies which were soon to be exposed to the mercy of the enemy. They set before their eyes the yoke which the enemy was to cause them to pass under, the scorn and insults of the conqueror, his haughty and disdainful looks, and how they should march disarmed through the armed battalions of the Samnites. What a pitiful spectacle their ignominious army would be in its march from that fatal place through the states of their allies, to their country and relations, who had often seen them and their ancestors return victorious and in triumph. To conclude, they reflected that they were the only persons who had been conquered without wounds, dint of weapon, or engaging in battle, who had not access to draw their swords or try their strength with the enemy, and whose courage, strength, and arms, had been all bestowed in vain. Whilst they lamented these things, the fatal hour approached, which was to make all their sufferings more severe in experience than they had imagined beforehand. First they were ordered to come out of their lines stripped off their arms and all their clothes to their under garments; then the hostages were received and carried to prison. Next the lictors were ordered to depart from the consuls, and their military cloaks taken from them, which raised the compassion of the spectators to such a pitch, that those who but a little before had been loading them with imprecations, and declared for delivering them up to the enemy, and tearing them in pieces, now forgetting their own wretched condition, could not bear to see so much majesty so shamefully disfigured, and therefore turned away their eyes from it as from a shocking and unlawful spectacle.

VI. The consuls almost half naked, were first made to pass under the yoke, after them the commanding officers according to their rank, and last of all the legions one after another. All this time the Samnites in their arms stood round and ridiculed and insulted them as they passed. They also presented their swords in a threatening manner to most of them. Some were wounded and others killed on the spot, who happened to affront the conqueror, by returning a fierce look in resentment of the indignities they suffered. Thus they were made to pass under the yoke, and, which was in some respect yet more grievous, in the sight of their enemies, when they had got quite out of the narrow pass, though they considered themselves as men newly brought out of the infernal regions who begin to see the light of day, yet that

very light which discovered to them the disgraceful appearance of their army, was more intolerable than the most frightful kind of darkness. Therefore though they could have reached Capua before night, yet as they were ashamed to be seen in these circumstances, and had not absolute confidence in their allies, they laid themselves on the ground about the road at a small distance from that city, and resolved to pass the night there though in great want of all necessaries. As soon as the accounts of this reached Capua, a generous compassion to their distressed allies got the better of the innate haughtiness of the Campanians. Therefore they immediately sent to the consuls fasces and lictors with the other ensigns of their dignity, and to the soldiers arms, horses, clothes, and provisions in great plenty. And when they came near the city, the senate and people went out to meet them, and both in public and private performed all the kind offices that friendship and hospitality could require. Yet neither the caresses of their allies, nor the sympathy they expressed by their kind looks and encouraging expressions, could prevail with them to speak a word, or even so much as lift up their eyes from the ground and look upon their friends, who did all in their power to comfort them. So much did sorrow and a kind of shame and confusion determine them to avoid the conversation and company of men. Next day the young noblemen, who had been sent to attend them to the frontiers of the state, returned, and being called into the senate and examined by the oldest senators, answered, "that the Romans marched along in such profound silence as if they had almost quite lost the use of speech; that it seemed to them they were more and more damped and oppressed with melancholy. Adding, that the Roman spirit had entirely disappeared, and they had lost their courage together with their arms; they could not return a salutation nor answer to those who spoke to them; none of them could so much as open their mouths for fear, as if the yoke they had passed under were still upon their necks. The Samnites had obtained not only a notable, but also an eternal victory over them; for they had not taken Rome as the Gauls had formerly done, but which was a more important exploit in war, the valour and courage of the Romans."

VII. Whilst these things were said and heard with attention, and those faithful allies in their council of state were lamenting the Roman name as almost quite lost and undone; it is reported that Ofilius Calavius, the son of Ovius, a man renowned for his high birth and glorious achievements, and at that time venerable for his years, said "matters were quite otherwise than they appre-

hended, for that obstinate silence, those eyes fixed on the ground, ears deaf to all comfort, and shame to behold the light, were indications of the vast load of wrath which boiled in their breasts, and either he was quite unacquainted with the nature of the Romans, or that silence of theirs would soon draw lamentable cries and pitiful groans from the Samnites, and the remembrance of the peace of Caudium would be more bitter to them than the Romans. For upon seeing their enemies, wherever they should happen to meet them, every one of them would recover his courage, but the Samnites would not find the streights of Caudium in every place." By this time the sad accounts of this shameful disaster had reached Rome, at first they heard their army was enclosed by their enemies, but soon after a courier arrived with accounts of this ignominious peace, which gave greater concern than those of the danger to which they were exposed. Upon the news that their camp was blockaded, they had begun to make the levies, but all preparations for sending them relief were given up, as soon as they found they had so shamefully surrendered themselves to the Samnites; immediately the citizens without orders from the state put on the deepest mourning, the shops about the forum were shut up, a vacation took place in all the courts of justice there, before it was proclaimed by lawful authority, the purple robes and gold rings were laid aside, and the city was, if possible, more dejected than the army itself. Nor were the people offended at the generals only, or those who had advised them to treat and stood surety for the performance of the articles, but expressed their indignation even against the guiltless soldiers, and said they ought not to be received into the city, or admitted to enter their own houses. But this ferment in their minds was allayed by the approach of the army, which excited the pity even of those who were most exasperated against them. For they did not enter the town with the air of persons returning to their country after an unexpected deliverance, but late at night with the looks and deportment of captives, and so shut themselves up in their houses, that the next and following days, none of them would come abroad or present themselves in the forum. The consuls confining themselves at home, exerted no act of authority belonging to their office, but one which was wrested from them by an order of the senate, whereby they found themselves obliged to nominate a dictator for holding the comitia. The person they pitched upon was Q. Fabius Ambustus, and P. Ælius Pætus was created general of the horse; but as there was a necessary formality omitted in their election, M. Æmilius

Papus, and L. Valerius Flaccus were chosen dictator and general of the horse in their room. Nor did they hold the comitia, so that the people being disgusted at all the magistrates of that year, the government returned to an interregnum. Q. Valerius Maximus, and M. Valerius Corvus served successively in the office of interrex, and the latter raised to the consulship Q. Publilius Philo, and L. Papirius Cursor for the second time. Nor is it to be questioned, but in this he had the universal approbation of the state, as they were the two most renowned generals of the age.

VIII. As it was the senate's pleasure, that they should begin their administration on the very day of their election, after having performed the ordinary ceremonies, they made a motion concerning the peace of Caudium, and Publilius, whose turn it was to have the fasces, said, "Sp. Posthumius, give us your sentiments." Upon which Posthumius rose up with the same air of dejection, where-with he had passed under the yoke, and spoke thus, "I am very sensible, consuls, that I am first called up, not with a view to do me honour, but to cover me with confusion, and that I am not asked to give my sentiments as a senator, but as a person impeached and ordered to answer for an unsuccessful war, and an ignominious peace. Yet seeing you have made no proposition concerning our crime or punishment, I shall, without pretending to make any defence, which it would not be a very hard matter to do before judges, who are not ignorant of the uncertainty of human affairs and the necessities to which they may be exposed, in a few words give my judgment of the affair you have mentioned, which will discover whether I intended to spare myself, or save your legions, when I laid myself under the obligation of that convention, whether you consider it as a disgraceful or a necessary one. But whatever name you give it, seeing it was made without the consent of the people, the Romans are under no obligation to observe it. Nor is any thing due to the Samnites by virtue of it, except our persons. Let us then be delivered up to them naked and in chains, and thereby relieve the people of their scruples, if our conduct has suggested any, that no right, human or divine, may stand in the way of our beginning afresh, and prosecuting a just and righteous war. Mean time it is my opinion, that the consuls should raise an army and take the field, but not enter the enemies' country till every thing requisite for surrendering us into their hands be completed. To you, O immortal gods, I make this hearty and earnest prayer, That if it was not your sacred will that the consuls Sp. Posthumius and T. Veturius should carry on



a successful war against the Samnites, you would at least be satisfied with seeing us passing under their yoke, and submitting to an infamous engagement, viewing us delivered up naked and in chains, and willingly submitting our own heads to the severest rage of the enemy. And grant that the new consuls may carry on the war against the Samnites with the same success which has always attended the Roman arms, till the time of our unhappy consulship." This speech so much engaged the admiration, and excited the compassion of all men, that sometimes they would scarce believe he was the same Posthumius who had agreed to such a disgraceful peace, and sometimes expressed their concern that so great a man should be exposed to the severest punishment the Samnites could inflict in resentment of the breach of the convention. But when all extolled him with just praises and came readily into his opinion, the two tribunes of the people L. Livius and Q. Mælius endeavoured for a little to interpose and prevent the passing of the bill, alledging that "the people could never be freed from the obligation of the convention by delivering them up to the Samnites, unless all things were put in the same condition they were in at Caudium, nor had they deserved any kind of punishment for becoming sureties in an engagement which had saved the Roman army, and even suppose matters should be carried to the greatest extremity, as their persons were sacred, they could not be violated or delivered up to the enemy."

IX. Upon this Posthumius replied, "Mean time deliver up us who are but profane persons, which you can do without violating the rules of religion, and you will afterwards find an opportunity to deliver up these sacred tribunes when their office is expired. But if you will be directed by me before you give them up, let them be first whipped with rods here in the comitium as a kind of interest for the delay of their punishment. For who is so much unacquainted with the laws of the *feciales* as not to see, that they pretend the people cannot be discharged from the obligation of this contract, more to save themselves from being delivered up, than from a persuasion that it is so in reality. Yet, conscript fathers, I do not refuse that engagements of this nature are as sacred as treaties, with those, who next to the honour due to the gods, have a regard to justice between man and man; but I say that no engagement can bind the people which is contracted without their order. Supposing the Samnites had by the same haughtiness, wherewith they extorted from us this engagement, obliged us to pronounce the expressions commonly used in surrendering cities, would the tribunes pretend that this city, its

temples, chapels, dominions, and rivers, were the property of the Samnites? But not to insist upon a surrender, seeing we are speaking of a promise. What, pray, would have been the consequence, if we had promised that the Roman people should abandon this city or set it on fire, if we had promised that they should have no more magistrates or senate, or that they should submit to regal government? The gods forbid, you will say! But the extravagance of the thing promised does not take away the force of the engagement. If the people can be brought under an obligation in any instance of this kind, they can in every supposable case; and whatever some may think, it signifies nothing whether a dictator, consul, or prætor, enters into the engagement. Even the Samnites were of that opinion, and therefore were not satisfied with the consuls, but obliged the lieutenant-generals, quæstors, and legionary tribunes, to enter into the engagement. Nor need any one ask me why I entered into this contract, since it is certain, that as consul I had not power to promise them a peace which I could not give, nor in your name who had given me no commission. Believe me, conscript fathers, nothing was transacted at Caudium by human wisdom. The immortal gods bereaved not only your generals but also those of your enemies of their reason. We were not cautious in carrying on the war, and they foolishly lost a victory which they had not fairly obtained, as they would not trust the places which had given them the advantage, and were fond upon any terms to pull the arms out of the hands of a people whom nature designed for war. Had they been in the exercise of their reason, was it a hard matter for them, when they had time to send for old men to give their advice, to dispatch ambassadors to Rome to negotiate a treaty of peace with the senate and people? An expeditious courier might have travelled all the way in three days, and in the mean time they might have had a truce till the deputies had brought them accounts, either of a certain victory or an advantageous peace. It would have been a valid engagement into which we should have entered by the people's order. But you would never have suffered it, nor would we have engaged; neither could the affair end otherwise, than on their being idly deluded with a golden dream which over-powered their weak minds, our armies escaping by means of the same fortune that had involved them in difficulties, the disappointment of an imaginary victory by a still more precarious peace, and the interposition of an engagement which was binding upon none but those who had contracted it. For what contract was there made with you, conscript fathers, or with the people?

Who can sue you, or pretend they have been imposed upon by your means? Shall it be your enemies or your fellow citizens? Your enemies cannot, because you have come under no engagement to them; nor your fellow citizens, because you never empowered them to promise any thing in your name. You have therefore no concern with us, to whom you gave no powers, nor with the Samnites, with whom you have entered into no contract. We are sureties to the Samnites, quite sufficient as far as our property extends, and ready to perform all that is in our power; that is to deliver up our persons into their hands. Let them put those to the severest tortures, whet their swords, and vent their most implacable rage. With regard to the tribunes of the people, consult among yourselves, whether you can deliver them up just now, or must delay it to another time. Let you and I, T. Veturius, and the rest of us present our ignoble lives to suffer for the engagement we have contracted, and by our punishment set the Roman arms at liberty."

X. This motion and the person who made it very much affected the conscript fathers, nor did it make an impression upon the rest only, but also on the tribunes of the people, insomuch that they declared they would subject themselves to the authority of the senate, and having immediately demitted their office, were together with the rest delivered to the *feciales* to be carried to Caudium. As soon as this act passed in the senate, an unusual light seemed to shine upon the state. Every one spoke with approbation of Posthumius, they exalted him to the utmost with their praises, and deemed his conduct on this occasion equal to that of P. Decius the consul, who devoted himself to death for his country, and the renowned exploits of other Roman heroes. "The state," they said, "had got rid of a disgraceful treaty by his example and advice, he exposed himself to the tortures and rage of the enemy, and offered himself as a victim for the Roman people." And now the minds of all were fixed upon war and arms. They impatiently wished for an opportunity of meeting the Samnites in the field, and as the whole city was enflamed with resentment and rage, almost all that were enlisted to recruit the army were volunteers. Some new legions were also raised from those which served in the late expedition, and the army marched to Caudium. The *feciales* who went before them, as soon as they came to the gate, ordered the clothes to be pulled off those who had stood sureties for the peace, and their hands to be bound behind their backs. And when the officer, from respect to the dignity of Posthumius, bound him slackly, he said, "Why do

you not pull the rope, that our surrender may be liable to no exception?" Afterwards, when they came into the assembly of the Samnites, and before the tribunal of Pontius, A. Cornelius Arvina, the *fecialis*, spoke thus, "Seeing these men have, without the order of the Roman people, engaged that a treaty of peace shall be concluded between that state and you, and have thereby been guilty of a great misdemeanor, therefore that the Romans may be entirely exempted from their guilt, I deliver their persons into your hands." While he thus spoke, Posthumius struck his knee against his thigh, with all the force he could, and said, with a loud voice, "That as himself was now a citizen of Samnium and the other an ambassador, he had contrary to the law of nations offered violence to a *fecialis*, which would contribute to make the war more just on the part of the Romans."

XI. To this Pontius replied, "I will neither accept of the surrender you have now made, nor will the Samnites ratify it. Why do you not, Sp. Posthumius, if you believe there are gods, either declare all that has been done void, or abide by your agreement? The Samnites have a right to all who were once in their power, or a treaty of peace in their stead. Why should I call upon you, who, as you were taken prisoner, surrender yourself to the conqueror with all the integrity you are master of? I call upon the Roman people. Let them, if they repent of the convention made at the forks of Caudium, put their legions again into the forest wherein they were invested by our troops. Let none of us deceive another, but all be void that has been hitherto performed: let them have their arms, which they delivered up in consequence of this convention, and return to their camp. Let them be put in possession of every thing that they were masters of the day before our interview, and then let them chuse war and resolute measures, and reject their engagements and the treaty of peace. Let us carry on the war in the same condition and in the same place we were in, before this peace was talked of, and neither the Romans blame the engagements entered into by their consuls, nor we complain of their integrity. Will you never want a pretence for not abiding by the engagements you entered into when you are defeated? You gave hostages to Porsenna, and stole them away again: You redeemed your city from the Gauls by a sum of money, and slew them while you were pretending to make payment of it. You made a peace with us on condition we should restore your legions: this peace you now reject, and still you veil your frauds with some specious pretext of law. Are not the Romans satisfied that their army was saved by an inglorious peace? Let

them take this peace to themselves, and restore the legions to the conqueror. Was it agreeable to the principles of integrity, the sacredness of treaties, or the solemn rites of the *feciales*, that by this convention you should have what you desired, and get so many of your citizens preserved, and I be defrauded of the peace which I made, when I restored them to my enemy? Is this, A. Cornelius, and you the rest of the *feciales*, what you call a part of the law of nations? For my part, I will not accept of those whom you pretend to deliver up, nor do I consider them as surrendered at all, or hinder them from returning to the city, which by their promise they have laid under an engagement, with the displeasure of all the gods, whose name is mocked and insulted by this conduct. Go and make war upon us, because Sp. Posthumius has just now struck with his knee one of your *feciales* who is vested with the character of an ambassador. It is very likely the gods will believe that this Posthumius is a citizen of Samnium and not of Rome, that one of the Samnites has offered violence to a Roman ambassador, and you have thereby acquired a just title to make war upon us. Are you not ashamed to advance pretences that are such direct insults upon religion, and must old men of consular dignity, to cover a breach of faith, study to invent quibbles that are unworthy of children? Go lictor, take the chains off the Romans, let none of them be hindered to go where they please." Thus the sureties, without suffering violence, returned from Caudium to the Roman camp, after they had without dispute freed themselves from the obligation of their promise, and perhaps freed the whole state.

XII. The Samnites on the other hand instead of haughtily imposing terms of peace upon their neighbours, finding the war renewed with the greatest severity, not only apprehended all the events that afterwards happened in consequence of it, but also in some measure saw them as it were before their eyes, and when it was too late and to no purpose, commended both the advices of old Pontius, regretting that they, by taking a middle course, had exchanged a certain victory for a precarious peace, and having lost the opportunity of doing good or harm, must carry on a war with those enemies whom they might have ruined once for all, or made their friends for ever. And though the strength of the contending parties had not been impaired by any disadvantage sustained in the field, the temper of their minds was so changed since the peace of Caudium, that Posthumius acquired more renown among the Romans by surrendering himself to the enemy, than Pontius had among the Samnites, by gaining a complete

victory without the expence of blood. The Romans also thought their being at liberty to renew hostilities was a sure pledge of victory, and the Samnites were persuaded that their enemies, by renewing the war, had as good as secured the conquest. Mean time the people of Satricum revolted to the Samnites, and the colony at Fregellæ was surprised in the night by the sudden approach of the Samnites, who were certainly aided by the inhabitants of Satricum in this enterprize. Fear kept both parties quiet till day-break, when they came to close engagement. The people of Fregellæ, as they were fighting for their gods and their country, and assisted by a great number of people, who though unable to bear arms annoyed the enemy from the tops of the houses, kept their ground for some time; but soon after an artful stratagem made the victory incline to the enemy's side, for they suffered a crier to proclaim, that all should be spared who would lay down their arms. The hopes of this abated the courage of the Fregellani in battle, and in every place they began to throw down their weapons. Yet the most resolute part of them sallied out at the back gate armed as they were, and found more safety in their courage than the rest in their cowardice, which disposed them to confide in the enemy's proclamation; for while they in vain called upon the protection of the gods, the Samnites set fire round them, and burnt them all to death. The two consuls having shared the provinces between them, Papirius marched to Luceria in Apulia, where the Roman knights, who had been delivered up as hostages at Caudium, were held in custody, and Publilius posted himself at Samnium to make head against the Caudine legions. By this means the Samnites were distracted in their counsels, for they dared not march to Luceria lest the enemy should come behind them and attack their rear, nor continue where they were for fear they should in the mean time lose Luceria. Wherefore they thought it was their best course to run the hazard of a battle with Publilius, and accordingly brought their army to the field.

XIII. The consul Publilius having resolved to give them battle, thought he ought first to address his troops, and therefore ordered an assembly to be called, but they repaired to his tent with such cheerfulness, that the general's harangue could not be heard for the clamour, wherewith they demanded to be led to the field. As they all remembered their late disgrace, their own thoughts suggested proper exhortations. So that they marched up pressing forward their standard-bearers, and that they might not lose time in throwing their javelins and drawing their swords after the

action should be begun, as if a general signal had been given for that purpose, they threw down their missile weapons, drew their swords, and ran furiously towards the foe. There was no occasion for the general's shewing his skill in disposing the ranks or posting bodies of reserve, the rage of the soldiers performed every thing with a hurry and forwardness that looked like distraction. By this means the enemy was not only defeated, but not daring to halt at their camp, they dispersed and fled to Apulia, where they united again into one body and marched to Luceria. The same rage that had spirited the Romans to break through the enemy's line of battle, hurried them also to their camp, where there was more execution done than in the battle, and the greatest part of the booty was rendered useless by the rage of the soldiers. The other army under the conduct of the consul Papirius, had by this time marched along the sea-coast as far as Arpi (*a*) without opposition, which was more owing to the oppression of the Samnites, and the people's disaffection to them, than any obligation they were under to the Romans. For the Samnites, who at that time lived in villages on the mountains, despising, in respect of their own unpolished roughness, the inhabitants of the sea-coasts and champaign country as enervated, and in their manners resembling the nature of the soil where they dwelt, plundered that whole country, which if it had continued firmly attached to their interest, either the Roman army could never have got so far as Arpi, or if they had, they must have been quite cut off from all provisions between Rome and that place, and therefore been ruined by famine. Even when they marched from Arpi to Luceria, they were as much distressed for want of provisions as the Samnites who were blocked up therein. For they had no supplies of this kind but what came from Arpi, and that in such small quantities, that while the other troops were upon duty and raising works, the horse brought them corn in small bags from that place, and sometimes when they met with enemies, were obliged to throw down their corn-bags and fight their way, whilst the besieged, before the other consul came up with his victorious army, had provisions and succours sent them from the mountains of the Samnites. But after Publius came they were much more straitened than before, for he, committing the management of the siege to his colleague, marched up and down the country cutting off their convoys and entirely prevented further supplies. So that there being no ground to hope that the besieged could stand the famine any longer, the Samnites, who were encamped at Luceria, were obliged to draw all their troops together and give Papirius battle.

XIV. About this time, when both armies were preparing for battle, ambassadors came from the Tarentines, insisting that both Romans and Samnites should agree to put an end to the war, and intimating at the same time that they would declare against the party which should occasion the rejecting of peaceable measures, and join their enemies. Papirius upon hearing these demands, as if they had made some impression upon him, answered, that he would advise with his colleague; and accordingly having sent for him, he spent all the time intervening in making preparations, and then after communicating his fixed resolution to him, gave the signal for battle. Whilst the consuls were performing those duties with regard to gods and men, which are customary before an engagement, the Tarentine ambassadors met them to receive their answer; upon which Papirius said, "the diviner has told us, Tarentines, that the auspices are favourable, we have offered sacrifice with extraordinary success, wherefore we are, as you see, marching to battle under the direction and conduct of the gods." With these words he ordered the standards to move forward, and drew out his army, expressing his contempt of a nation so extravagantly vain, that though they were not able to manage their own affairs on account of the factions and divisions which prevailed among them, fondly imagined they had a right to prescribe terms of war and peace to their neighbours. The Samnites on the other hand, either because they were truly fond of peace, or it was their interest to pretend it, that they might draw the Tarentines over to their side, having neglected all preparations for battle, no sooner observed the Romans drawn up in order, than they called out "that they would continue under the protection of the Tarentines, and therefore would neither advance to the field nor carry their arms beyond their lines. If they should be disappointed in their expectations, they would suffer the greatest hardships rather than seem to reject the mediation of the Tarentines." We accept of the omen, said the consuls, and wish our enemies may be so far possessed with these sentiments as not to defend even their lines. Upon this they divided their troops between them and advanced to the enemy's works, which they attacked on all sides at once. Some filled up the trenches, others pulled down the palisades and threw them into the ditch, and as they were not only excited by their native courage, but also fired with indignation at the indignities they had suffered, they vigorously assaulted the camp, and all the while bawled out, "that the Samnites would find they had not to do with the forks and impracticable forests of Caudium, where fraud had made an inso-



lent improvement of a victory entirely owing to a mistake, but with the Roman valour which could not be repulsed by lines and trenches." With that they cut to pieces those that fought and those that fled, those that had arms, and those that had none, slaves and freemen, children and grown persons, men and beasts, without distinction. Nor would they have left one surviving creature, if the consuls had not ordered a retreat to be sounded, and by authority and threats obliged the soldiers, however fond of blood and slaughter, to leave the enemy's camp. As the troops were provoked that they should be interrupted while they were keen in satisfying the sweet passion of revenge, they were immediately harangued, to convince them, "That the consuls did not, nor ever would come short of them in aversion to their enemies; and as they had led them to the battle, so they would have satisfied them by their example that they would have been as insatiable as they in their revenge, if their hands had not been bound up by a due regard to those six hundred knights who were detained as hostages at Luceria, for fear that, despairing of quarter, the enemy should, in the inconsiderate heat of their rage, put them to death, that they might have the pleasure of making havock among their foes before they should be cut off themselves." Upon this the soldiers commended their generals, rejoiced that their fury had been stopped in its course, and owned that they had rather suffer all extremities than betray the lives of so great a number of the flower of the Roman youth.

XV. As soon as that assembly was dismissed, the generals consulted together, whether they should press Luceria with all their forces at once, or one of them should march with an army through Apulia to sound the inclinations of that people, whose affection to them they had reason to suspect. Upon this Publilius the consul having put himself upon his march to make a tour through Apulia, in one expedition subdued several nations; and admitted others into alliance with the republic of Rome. Papirius staid behind to carry on the siege of Luceria, and in a short time, had success equal to his hopes. For having guarded all the passages by which the garrison of Luceria could have relief from Samnium, the Samnites who were penned up in that city were reduced by famine to send ambassadors to the Roman consul, proposing, "that upon their surrendering to him the knights who had been the occasion of the war, he would raise the siege. To this proposition Papirius answered "That as Pontius the son of Herennius was the person who had advised them to make the Roman army pass under their yoke, they ought to have consulted him with

regard to the terms to which the conquered should submit. But as they would rather chuse that their enemies should pronounce a just sentence against them than they should pass it upon themselves, he bid them inform the Lucerians, they must leave in the city their arms and baggage, their sumpter horses with all those persons whose weakness exempted them from serving in the war, and that he would have all the soldiers stripped to their inner garment, and in that condition made to pass under the yoke, whereby he did not intend to do them any new injury, but to make reprisals for those they had done the Romans." None of these terms were rejected, accordingly seven thousand soldiers were made to pass under the yoke, and the Romans found an exceeding great booty in Luceria, besides recovering all their standards and arms which they had lost at Caudium. But what gave them far the greatest satisfaction was the recovery of the Roman knights whom the Samnites had put into custody at Luceria, and reserved as pledges for the performance of the articles of peace. All these things considered, the Romans scarce ever gained a victory more glorious than this, which occasioned so sudden and such a considerable revolution in their affairs, especially since, as as I find it recorded in some annals, to make a complete atonement for the indignity suffered by the consuls, Pontius, the son of Herennius, the Samnite general, was made to pass under the yoke with the rest. But it is no great wonder that we are left in the dark concerning the circumstance of delivering up the general of the enemy's army, and his passing under the yoke; it is more surprising that we are at a loss whether these exploits at Caudium and afterwards at Luceria were not performed by Cornelius in the quality of dictator, and L. Papirius as general of the horse; and whether this latter, who avenged the indignities done to the Roman name in such a singular manner, was not rewarded with a triumph upon the justest title that ever that honour was granted to any since the time of Furius Camillus; or whether these glorious achievements are not to be ascribed to the two consuls, and principally to Papirius. But this is not the only uncertainty in this period, for we are also left at a loss whether Papirius Cursor, on account of his great success in Luceria, was not, at the next comitia, continued in his office and declared consul for the third time, together with Q. Aulius Ceretanus, or whether it was L. Papirius Mugillanus who was chosen upon this occasion, and the mistake has arisen from their having both the same surname.

XVI. From this period it is agreed the war was carried on to a conclusion by the consuls. Aulius put an end to the war with

the people of Ferentum (*a*) by one successful battle, received hostages, took the town itself, into which the army had retired, into his protection. With the like success the other consul carried on the war against the inhabitants of Satricum, who, notwithstanding they were citizens of Rome, were sent to the Samnites upon the disaster at Caudium, and the consul sent a garrison of that people into their city. For when he had surrounded the city with his army to the walls of Satricum, the inhabitants sent ambassadors most submissively to treat with him about a peace. The consul sent them back with a severe answer, forbidding them to return to him till they had either put to death or delivered up the Samnite garrison. By this expression he struck greater terror into that colony than he had done by the dread of his army. Soon after the deputies asked the consul, how he imagined that a handful of weak people, could offer such a strong and armed body of men? He replied that he should consult with those persons by whose advice they had prevailed upon to receive that garrison into their city. When they departed, having with great difficulty obtained leave to consult their senate upon this subject, and return to him with an answer. The senate of Satricum was at that time divided into two parties: at the head of one were those who had been the principal promoters of the revolt from the Romans, the other consisted of citizens of integrity. Both were fond of dealing with the Roman consul to procure a peace; but as the Samnite army was to march out next night, because they had made no preparations for bearing a siege, one party satisfied themselves with acquainting the consul at what hour of the night they were to march out, at what gate they were to evacuate the city, and what route they were to take; the other, which had been secretly revolting to the Samnites, opened one of the gates to the consul that very night, and received the armed enemies into the city. By this means the Samnites were doubly betrayed, for they were surprised on their march by troops posted in the woods, and the road to fall upon them unawares, and as soon as they were full of enemies they set up a shout, and in a moment the Samnites there were slain, the people of Satricum made prisoners, and every thing put in the power of the consul. The first thing he did was to make inquiry for those by whose means the revolt had been brought about, and such as he found guilty, punished with rods and beheaded. Then he planted a strong garrison in the city and obliged the inhabitants to give up their arms. Those authors who are of opinion that Papirius comm

the taking of Luceria, and made the Samnites pass under the yoke, assert that upon this he went to celebrate his triumph at Rome. And the truth is, he was a man who, without question, deserved the highest praises for his achievements in war, and excelled not only in the vigour of his understanding but also in bodily strength. He was particularly remarkable for his swiftness, which procured him the surname of Cursor, and is supposed to have been able to outstrip all his contemporaries. And whether we chuse to ascribe it to the greatness of his strength, or to the frequent exercises to which he enured himself, he could eat and drink to a prodigious degree. As he was himself indefatigable in bearing hardships and bodily labour, so none ever subjected the troops, both horse and foot to a more severe discipline. His cavalry on a certain occasion having had the courage to demand, that he would abate some part of their ordinary toil in consideration of their good behaviour in battle, he answered, "That you may not have it to say I have dispensed with nothing, I will excuse your not stroking down your backs when you dismount from your horses." He maintained his authority with great strictness and rigour both over citizens and allies. The prætor of Præneste, by the prevalence of his fear, had advanced too slowly in leading his command from the body of reserve to the line of battle. Cursor afterwards, as he was walking before his tent, ordered him to be called, and when he came bid one of his lictors get ready his ax. As the Prænestine stood amazed and quite shocked at the expression, he added, "Come lictor, cut down this root, because it may be troublesome to those that walk this way;" but after he had put him in fear of a capital punishment, he only condemned him to pay a fine and dismissed him. To conclude, in that age, which produced as many remarkable instances of merit and virtue as any, there was not one who contributed more to support and extend the Roman empire. And he is even thought as a general, to have been a fit match for Alexander the great, if that prince, after the conquest of Asia, had turned his arms against Europe.

XVII. It will evidently appear, that from the very beginning of this work, I have been solicitous about nothing less than to depart too much from the course of my history, to set off my book with variety of ornaments, or indulge myself in agreeable digressions to amuse my readers or relieve my own mind. Yet the bare mention of so great a king obliges me to communicate to the world the thoughts concerning him, which have often employed my mind in secret, and take this opportunity to inquire what would have been the consequence to the affairs of Rome, if

they had been obliged to carry on a war against Alexander. The advantages which are of the greatest importance in war, are the numbers and bravery of the troops you employ, the capacity of the generals, and fortune which has a prodigious influence in all human affairs, but especially in the events of war. And yet when I seriously consider all these advantages, whether together or apart, the Romans had such a share in them as must have rendered them as invincible in dealing with this monarch, as they were in their struggles against other nations. To begin first with drawing the parallel between him and their generals: I am far from denying that Alexander was an excellent commander, but his reputation was the greater that he had none to share the command with him; that he was young, and died in the height of his prosperity, before he met with any instance of adverse fortune. For not to mention other renowned kings and generals, who are remarkable instances of the vicissitudes of human affairs, what was it but a long life that exposed Cyrus, on whom the Greeks bestow such extravagant praises, to the frowns of fortune, as it lately did Pompey the great? Let me only mention some of the Roman generals, and those not selected from the history of different ages, but the very persons with whom, in the character of consuls or dictators, Alexander upon this supposition must have fought, I mean M. Valerius Corvus, C. Marcius Rutilus, C. Sulpicius, T. Manlius Torquatus, Q. Publilius Philo, L. Papirius Cursor, Q. Fabius Maximus, the two Decii, L. Volumnius, and Manius Curius. These were succeeded by other heroes of extraordinary abilities, whom he must have encountered, had he made war upon the Carthaginians, before he attacked the Romans, and only passed into Italy when he was far advanced in years. Any of these great men was a match for Alexander in courage and capacity, as well as military discipline, which having been delivered down from hand to hand in a constant succession, from the very foundation of the city, had now attained to the perfection of an art, contained in a methodical system of precepts. Thus the Roman kings had carried on their wars, and thus also the Junii and Valerii who expelled those kings. Thus after them fought the Fabii, Quinctii, and Cornelii; and Furius Camillus, who lived long enough to be seen by two young Romans, who must have fought with Alexander: and as Alexander ventured his person in battle, and fought with the rest of his troops, which was one of the brightest parts of his character, would these Roman heroes have been inferior to him in this respect? Would Manlius Torquatus, or Valerius Corvus in particular, who were both renowned for their exploits in

the station of soldiers before they were commanders in chief, have yielded in the least, had they met him on equal terms in the field? Would the Decii, who rushed furiously upon their enemies with bodies devoted to death, have been afraid of him, or would he have obtained any advantage against Papirius Cursor, so equally famous for his undaunted courage and uncommon strength? And not to mention more particular men, would one single youth have got the better in wisdom and conduct of that senate, which, by the only person who formed a just notion of it, was said to be entirely made up of kings? Was it to be apprehended that he would pitch upon a proper place for his camp with greater sagacity than any one of those I have named, secure better his convoys of provisions, be more upon his guard against stratagems and ambuscades, draw up his army with greater art, or strengthen it more effectually with bodies of reserve? No, he must have owned that he had not to do with Darius, whom he conquered without the expence of blood, merely by bravely daring to condemn vain pomp, and a prince who carrying about with him an immense number of women and eunuchs, enervated with gold and purple, and being encumbered with the splendid badges of his wealth and greatness, was to be considered as a prey rather than an enemy. He would have found the appearance of Italy totally different from that of India, through which he marched with his drunken army, revelling and feasting all the way; especially when he had viewed the impassable forests of Apulia, and the vast mountains of Lucania, where he might have discovered the fresh marks of the havoc made in his own family by the slaughter of Alexander king of Epirus, his uncle by the mother.

XVII. All this while we are speaking of Alexander not overpowered by prosperity, which no man ever could bear worse than he; for if we consider him according to his new fortune, and so to speak, the new turn of mind which he assumed after his conquests, he would have passed into Italy more like to Darius than Alexander, and must have brought with him a Macedonian army, forgetting themselves and degenerating into the manners of the Persians. In speaking of so great a king, I am sorry to mention his vanity in changing his dress, his fondness to be approached by his people in the fawning posture of prostration, which must have been shocking to the Macedonians if they had been a conquered people, and more so as they were conquerors, the cruel punishments he inflicted, his inhuman murdering of his friends amidst his feasts and revelling, and the vain ambition by which he falsely pretended to divine extraction. But what if his

love to wine had continually grown upon him, and his hot passion daily increased? I am speaking of nothing much as questioned among historians, can we think the Romans as a general would have suffered no disadvantage? Or was there any ground to apprehend, that as some of the worthless of the Greeks, who endeavour to raise even of the Parthian kings in opposition to the Roman name, assert, the people of Rome could not bear the awe of Alexander, which, in my opinion, they had never heard of, and that notwithstanding in Athens, a city conquered by the force of the Macedonian arms, especially at a time when the inhabitants might see the ruins of Thebes almost before their eyes, the orators dared declaim with great boldness against that prince, as appears plain from the collected orations yet extant, none of the numerous nobility of Rome have the boldness to utter, so much as one free expression concerning him? After all however, great as he is supposed to have been, it must be owned that this greatness was attained in little more than the space of ten years: those who raise it so high from this consideration, that those who have never been routed in any war, have been routed in many battles, whereas Alexander never was routed in any field but he returned victorious, do not reflect, that in comparing the exploits of a single man and a young man with those of a people who have been constantly engaged in the course of eight hundred years. Shall we then be so foolish as that seeing there are more ages in one of these periods than in the other, fortune has discovered more of her inclinations in such a long tract of time than in the short space of this? Why do you not rather compare man with man, and the fortune of one general with that of another? How many generals could I name who were never routed in the field: you may see whole pages in the annals and records of Rome filled with the names of consuls and dictators, with words of wisdom and good fortune the Roman people were never dissatisfied: to shew that they have a more just title to our admiration than Alexander or any other king, some of them held the command but ten, others twenty days, and none ever enjoyed the command above a year: their levies were often obstructed by the tribunes, and they went to war after the season was past: they were sometimes recalled, before the proper time, to their militia, and the year of their authority expired while they were in the crisis: sometimes the forwardness, and a

obstinacy of their colleagues either retarded their success, or made it less considerable; they often suffered by the miscarriages of those who preceded them in their charges, and as often had an army quite unacquainted with the exercises of war, or trained according to the rules of a bad discipline. But kings on the other hand, as they are absolute masters of their affairs, and the proper seasons for setting about them, are exempted from all these impediments, they make every thing give way to their designs, and are never obliged to prosecute the schemes which others have formed. Alexander then, with his uninterrupted series of victories, and his generals, who to that time had never been foiled, might have made war upon the republic of Rome, but he must have exposed all the favours which fortune had lavished upon him to great hazard, and his danger would have been the greater, because the Macedonians would have had none to depend upon but himself, who was not only liable to many accidents, but fond of exposing himself to dangers; whereas the Romans had many who were upon an equal footing with him with regard to renown and great exploits, whose life or death would only have affected themselves, without the least hazard or detriment to the state.

XIX. It now remains, that I compare their armies, both with respect to the number and goodness of the troops, or the auxiliaries they had to depend upon. In the lustra of that age two hundred and fifty thousand citizens were enrolled. Therefore whenever the Latine allies revolted, very near ten legions were listed out of the city alone, and during these years four or five armies were often employed at once, in *Hetruria*, in *Umbria* and against the Gauls, in *Samnium* and in *Lucania*. Besides this, throughout *Latium*, the country of the *Sabines*, *Volsci* and *Æqui*, all *Campania* and a part of *Umbria* and *Hetruria*, the dominions of the *Piceni*, *Marsi*, *Peligni*, and *Apulians*, with all the coast of the *Hetrurian* sea inhabited by the Greeks, from *Thurii* to *Neapolis* and *Cumæ*, and from *Antium* and *Ostia* to the country of the *Samnites*, he must have found none but such as were powerful allies to the Romans, or some of their enemies, quite spent and exhausted by war. He must have passed the sea himself with his veteran troops of *Macedonia*, consisting at most of thirty thousand men and four thousand horse, who were for the most part from *Thessaly*, for these were his whole strength. And supposing he had reinforced them with the *Persians*, *Indians*, and his other conquered nations, he would have found them an incumbrance rather than an advantage. Add to this, that the Romans would have always had supplies ready at hand in their



own country, but Alexander, which was also Hannibal's fate, as he would have been carrying on war in foreign regions, must have found his army decaying with age. The Macedonians were also armed with small shields and spears only, whereas the Romans had the long buckler, which was a more effectual defence for their bodies, and the javelin, a weapon far more dangerous than the spear, whether you employ it in hand, or throw it at a distance. The troops of both nations were used to stand firm and keep their ranks, but the Macedonian phalanx was immoveable and admitted of no variety, whereas the Roman line of battle was formed in a better method, and as it consisted of more parts could with greater ease be brought to open its files and close them again. Besides all this, who can equal the Roman troops in raising works? Or who can exceed them in enduring fatigue and hardships? Had Alexander lost one battle he must have had the worst in the whole war, but what army could have broke the spirits of the Romans, who did not sink under the disasters they suffered at Caudium and Cannæ. The truth is, even supposing he had succeeded in his first attempts, he would have often wished to have to do with the Persians, Indians, and other effeminate nations of Asia, and said that hitherto he had only fought against women, an expression supposed to have been used by Alexander king of Epirus, when he received his death wound and was comparing the fate of the wars which this young prince had carried on in Asia, with those he had been engaged in himself. When I remember that the first Punic war was maintained against the Carthaginians by sea during the course of four and twenty years, I can scarce persuade myself that Alexander could have lived long enough to see one war with the Romans at an end. And perhaps as the Romans and Carthaginians had been united together by ancient treaties, and the fear of the common enemy was apt to make both these states, so famed for their numbers and warlike genius, have recourse to arms at once, Alexander might have been quite overpowered by both at the same time. After all, the Romans had a proof of the strength of the Macedonians in the field, not indeed when they had Alexander at their head, nor while their empire was entire, but in the war with Antiochus, Philip, and Perses, and were so far from suffering any disaster by their means, that they did not so much as run the hazard of it. But setting aside the civil wars, I may say without vanity that we were never routed by any army of horse or foot in a pitched battle, when we either had the advantage of the ground, or were on equal terms in this respect. It is true indeed, that our heavy



armed troops may be afraid of horse, arrows, impracticable forests, and places which lie out of the way of provisions, but they have routed a thousand armies better than that of Alexander and his Macedonians, and will continue to do so still, if they are always careful to maintain that love to peace and harmony amongst all ranks in which we live at this day.

XX. After this Fostius Flaccinator and L. Plautius Venno were elected consuls, during their administration, a very full diet of the Samnites sent ambassadors to Rome to renew their treaty of peace, who, by prostrating themselves on the ground in the most humble manner made a great impression upon the senate, but when they were referred to the people, their intreaties had not so great an effect. So that they were refused a treaty, but after they had, for some days, fatigued the leading men by the importunity of their particular applications, they obtained a truce of two years. The Theanenses (*a*) also and Canusini (*b*), nations of Apulia, tired out with the pillaging of their lands, gave hostages to C. Plautius, and subjected themselves to the Roman republic. The same year the people of Capua had their first prefects appointed, and a system of laws delivered them by L. Furius the prætor, because in their distressed state, they had applied for both as a remedy against intestine divisions. The Ufentine(*c*) and Falernian(*d*) tribes were also added to the number of those which had been formerly established at Rome. And as the affairs of Apulia had once taken a turn, the Theates(*e*), who were also of that country, applied to the new consuls C. Junius Bubulcus and Q. Æmilius Barbula for a treaty of alliance, and promised that they would bring all the nations of Apulia in general to peace with the Romans. The confidence they discovered in promising this, procured them a treaty, yet not such a one as obtains between equals, but such as is granted to those who give up themselves to the protection of the Roman state. Apulia being now quite reduced, for Junius had made himself master of their strong city of Ferentum(*f*), the Roman army marched against the Lucanians, and the consul Æmilius by an expeditious march from thence, surprised the city of Nerulum(*g*), and took it by storm. After the report spread that the affairs of Capua were re-established by their accepting of the Roman laws, the Antiatres also complained that they had neither stated laws nor magistrates to govern them. Upon which the senate assigned them patrons to draw up a body of laws for the colony there. By this means not only the Roman arms, but also their laws prevailed to a vast distance round the city.

XXI. C. Junius Bubulcus and Q. Æmilius Barbula did not deliver up the command of the legions to Sp. Nautius and M. Popilius, whom they had elected to succeed them in the consulship, but to L. Æmilius the dictator. He, with the assistance of L. Fluvius his general of the horse, having laid siege to Saticula (*a*), gave the Samnites a handle to renew the war. By this means the Romans were alarmed from two quarters at once. For on the one hand the Samnites, to deliver their allies from the siege, posted themselves at a small distance from the Roman camp, and on the other, the people of Saticula, having opened their gates on a sudden, sallied out with a terrible noise and attacked the enemy's outguards. Soon after both nations, each trusting more to the assistance they expected from the other than to their own strength, came to a general battle with the Romans, and vigorously attacked them on each side; but though they fought with great fury, yet the dictator kept his men pretty safe both in front and rear, because he not only had posted himself in a place which could no be easily invested, but also obliged his troops to face both ways. Those that had sallied out of the city he attacked with the greatest fury, which soon obliged them to retreat within their walls, and then made all his troops advance against the Samnites, who maintained the fight with greater resolution. It was long before victory declared itself, but at last it was general and complete. The Samnites being routed, put out all their fires in the night-time, and retired in great silence to their camp, where, having lost all hopes of recovering Saticula, they resolved to invest Plistia (*b*), a city in alliance with the Romans, and thereby pay them in their own coin.

XXII. At the end of the year, Q. Fabius, in quality of dictator, had the management of the war; for the new consuls (*a*), after the example of those who preceded them in their office remained at Rome. Fabius arrived at Saticula with a reinforcement to take the command of the army from Æmilius. But the Samnites had not continued long at Plistia; for having sent for recruits from their own country, and being flushed with the number of their troops, they encamped on the same spot of ground where they had been posted before, and offering the Romans battle, endeavoured to oblige them to raise the siege. But as the dictator was persuaded nothing would bring the war sooner to a conclusion than the reduction of that place, he resolved to push it on with the greater vigour, and secured himself against the Samnites by posting out-guards in proper places, that they might not have an opportunity to attack his camp. This made the Samnites ride round the lines with the greater rage, as being quite impatient of

these delays. But when they were advanced almost to the gates of the camp, Q. Aulius Cerretanus, the general of the horse, without consulting the dictator, sallied out with all his cavalry and repulsed the enemy. Though this sort of engagement seldom happens to be very bloody, fortune so displayed her power upon this occasion, that there was a great havoc made on both sides, and the two generals died with great honour. For the general of the Samnites, extremely vexed that he should be routed and driven away from these lines which he had rode round in such an insulting manner, by humble intreaties and pressing exhortations brought back his horse and renewed the battle. The Roman general of the horse, distinguishing him from the rest by his pompous dress, as he was animating his men to battle, put spurs to his horse with such fury, that by one push of his lance, he brought him down dead to the ground. Here contrary to what commonly happens in such cases, the consternation of the Samnites at the fate of their general was not greater than their rage, for all that were about him thrust their darts at Aulius, who had imprudently thrown himself amidst the enemy's squadrons; but the chief honour of avenging the death of their general is ascribed to his own brother, who, in the excess of sorrow and rage, pulled the victorious general of the Roman cavalry off his horse and slew him. And as he fell amidst their own troops, the Samnites had very near made themselves masters of his body; but immediately the Romans dismounted, the Samnites also were obliged to do the same, and all of a sudden the two armies fought on foot round the bodies of their commanders. The Romans, however, obtained a complete victory, and having recovered the body of Aulius, conveyed it back to their own camp, with a mixture of joy and sorrow. The Samnites having lost their general, and tried the strength of their cavalry in opposition to that of the Romans, leaving Saticula, which they thought they were not able to save, returned to the siege of Plistia, and in a few days Saticula was surrendered to the Romans, and the Samnite army made themselves masters of Plistia.

XXIII. Soon after this the seat of the war was changed, and the legions led from Samnium and Apulia to Sora. The inhabitants of this place had first massacred the Roman colony, and then revolted to the Samnites. The Roman army, having made long marches, that they might the sooner have an opportunity to revenge the death of their countrymen, and recover their colony, arrived there before their enemies; but as the spies they had dispersed in different parts of the country returned, one after another,

with accounts that the Samnite legions were in pursuit of them, and like to come up with them very soon, they went in quest of the enemy, and gave them battle at Lautulæ. But in this engagement the victory was doubtful; for neither of the armies had suffered much nor retreated, when the night parted them, and left both parties at a loss to know whether they were victorious or not. I find in some authors that the Romans were routed in this battle, and lost in it Q. Aulus, the general of their horse. C. Fabius, who was chosen to succeed Aulus in his command, marched with a new army from Rome, and having sent proper persons before him to consult the dictator about the place where he should halt, with the time and manner in which he should attack the enemy, and sufficiently considered the measures necessary for every part of the enterprize, posted himself with the greatest secrecy in the place assigned him. The dictator, having for some days kept his men within their lines, rather like one who was besieged himself, than that intended to besiege others, all of a sudden gave the signal for battle, and thinking there were no more effectual means to raise the courage of brave men, than to satisfy them they had no hope left but in their own valour, he gave his troops no information concerning the general of the horse, nor the new army under his command, but pretending that nothing could save them but their cutting their own way through the enemy's army, he addressed them thus. "As we are penned up, soldiers, in this narrow spot of ground, we have no way to escape, except we shall open one to ourselves by putting our enemies to the rout. It is true, our camp is sufficiently secured by our works, but it is at the same time exposed to the severe persecution of want and famine. For all the places about, from whence we could expect to be supplied with provisions, have revolted to the enemy, and though men were willing to relieve us, the enemy is in possession of all the passes. Therefore I will not disappoint you, by leaving our camp here that you may retire to it as you did the other day, before you got the victory. Our lines ought to be defended by the force of arms, and not our arms by the strength of lines. It is proper for those to have a camp, and retire to it, that think it worth their while to prolong the war; but let us put our confidence in nothing but victory. Wherefore advance and bear your standards against the enemy, and as soon as the army has got without the lines, let those to whom I have given orders for that purpose, set fire to the camp. The plunder, soldiers, of all those states around us, who have revolted to the enemy, shall abundantly make up your loss." As

this speech seemed to have been extorted from the dictator by the force of extreme necessity, it raised the courage of the soldiers, and determined them to march against the enemy. And the concern they had for their camp which they might see burning, though the nearest parts of it only had been set on fire by the dictator's orders, was no small motive to determine them to do their utmost. Wherefore falling upon the enemy like men distracted, they put them into confusion at the first charge, and the general of the horse observing at a distance the camp set on fire, which was the signal concerted between him and the dictator, came up in time to attack the enemy's rear. The Samnites seeing themselves thus hemmed in on every side, dispersed, and every man shifted for himself the best way he could. But a very considerable body of men, whose fear had determined them to run so closely together that they obstructed one another in standing to their own defence, were surrounded and cut to pieces. After the enemy's camp was taken and plundered, and the troops had loaded themselves with the spoil, the dictator led them back to their own; nor did the complete victory they had gained yield them so much pleasure, as to find that a small part of it only had been defaced by the flames, and contrary to their expectation all the rest was entire.

XXIV. After this success the army marched back to Sora, and Fabius the dictator having resigned the command to the new consuls M. Pætelius and C. Sulpicius they discharged a great part of the veteran troops and supplied their places with the new cohorts they had brought along with them from Rome. As the town of Sora had great advantages with respect to its situation, which naturally secured it against assaults, the Romans had not yet determined how to carry on their attacks, for it could not be stormed without extreme hazard, and it must take a long time to reduce it by a blockade. These considerations perplexed the assailants, till a deserter, who had made his escape out of the place, came to the Roman guards, desired to be immediately conducted to the consuls, and when he was admitted into their presence, promised to deliver the town into their hands. Upon their enquiring by what means he would do it, he returned such answers as convinced them his design was not impracticable. So that though their army was encamped hard by the city walls, he prevailed with them to remove six miles further, because he was persuaded this would contribute to make their guards and sentries more secure in the day-time, and their watchmen during the night less attentive to their duty. Next night, having ordered some

cohort to post themselves in a place covered with bushes a little below the town, he carried six chosen men along with him through rugged and almost inaccessible paths into the citadel, where he had already provided a greater quantity of missive weapons and darts than such a small number of men could have use for on ordinary occasions. There were also great numbers of stones lying there at random, as commonly happens in such rough places, besides what the inhabitants had on purpose gathered together in heaps for the better defence of the place. Here he posted the Roman soldiers, and having shewn them a narrow and steep path leading from the town to the citadel, said, "Three armed men are sufficient to defend this pass against the greatest numbers, much more you who are ten in number, and which is more, not only Romans, but even the bravest of that people. The post you possess is your security, and your enterprize is also favoured by the night, which represents every doubtful object with additional terror to those who are once put in a consternation. Do you in the mean time take particular care to keep your possession of the citadel, and I shall soon spread the alarm through all the parts of the town." With these words he ran down crying out as loud as ever he could "to arms, to arms, citizens, for God's sake! the enemies are in possession of your citadel, haste and run to its defence." Thus he called out to the principal men of the city, when they happened to be in his way; thus he called aloud to those who met him, and thus he hailed to the timorous people who were running out into the streets. The magistrates in great consternation were soon informed by those whom they had sent to observe the state of the citadel, that it was possessed by a great number of armed men, and the darts flying apace, upon which they lost all hopes of recovering it. The inhabitants from all quarters, endeavoured to save themselves by flight, and though they were but half awake and for the most part unarmed, broke the gates to pieces. Upon this, the Roman cohorts, who had been roused by the clamour and noise, rushed in at one of them, and put all to the sword whom they found running up and down the streets in despair. Thus Sora was entirely in the hands of the Romans when the consuls arrived at day-break, and received as prisoners of war those who had not yet fled out of the city, and whom fortune had saved from the carnage that was made in the night. Of these, two hundred and twenty-five, who, by the common testimony of all, were pitched upon as the persons that had advised the inhuman massacre of the colony, and been ringleaders of the revolt.

were sent in chains to Rome, where they were all whipped with rods, and afterwards beheaded. This was an instance of severity which gave the greatest satisfaction to the people, as the security of those who were daily sent into colonies, was of the highest importance to them. The rest of the inhabitants of Sora were pardoned and left in their native city, but there was a garrison planted in the place.

XXV. As soon as the consuls marched from Sora, they carried the war into the country and cities of the Ausonians. For all states therein had taken arms upon the approach of the Samnites and the news of the battle which was fought at Lautulæ; and the people round about Campania entered into conspiracies. Capua itself was suspected of a concern in these plots, nay the enquiry was even carried to Rome, and to some of the most considerable men there. But the Ausonians were betrayed into the hands of the Romans, as Sora had been before. For twelve of the most considerable young men of Ausona, Minturnæ and Vesicia, who had agreed upon discovering the designs of these cities, came to the consuls and represented "that their countrymen, who had for a considerable time been waiting for the coming of the Samnites, as soon as they heard of the battle of Lautulæ, taking it for granted that the Romans were defeated, had supplied the Samnites with men and arms. Since the people were routed, they had observed a kind of deceitful peace, for they had not yet shut their gates against the Romans, and yet they were firmly resolved to do it, if their armies should approach to their dominions. In this irresolute state it would be an easy matter to surprize them before they could be aware of the design." By their advice the consuls drew nearer to these three places with their armies, and at the same time sent detachments of troops, some of them armed and in their proper dress, to post themselves secretly near their walls, and others in the habit of citizens with arms under their gowns, who were to enter their gates as soon as they should be opened in the morning about day-break; and when they should begin to kill the guards, give a signal to the rest who were armed and lying in ambush to come to their assistance. By this means the gates were seized and three cities were taken not only at the same time, but also by the same stratagem. But as they were surprized in the absence of the general officers, the soldiers gave no quarter to the Ausonians, though they were scarce convicted of any design to revolt, and they were put to the sword as if they had carried on an irreconcilable war with the Romans.



XXVI. The same year the Roman garrison at Luceria being betrayed, that city fell into the hands of the Samnites, but the traitors were not long unpunished. For the Roman army was not far off, and as the city stood in a plain, they made themselves masters of it at the first assault. The Lucerians and Samnites were entirely cut to pieces; and their resentment was carried so far, that when the senate at Rome were consulted about sending a new colony to that city, many gave their votes for the entire demolition of it. For besides the irreconcilable aversion they had to a people who had twice been taken in rebellion, the distance of the place made them averse from sending their fellow-citizens into a kind of exile, so far from their native country and among nations which were so implacable enemies to the Roman name. But after all the matter was carried in the affirmative, and accordingly a colony, consisting of two thousand five hundred citizens, was sent into that country. This year also, as designs were formed in all places against Rome, the most considerable citizens of Capua were entering into secret conspiracies against the state, and a motion being made in the senate with regard to these plots, the fathers thought it an affair not to be neglected. Wherefore they ordered a strict enquiry to be made into the matter, and to preside in it named C. Mænius dictator, who chose M. Fostius for his general of the horse. This extraordinary officer struck exceeding great terror into that people, so that either for fear of him, or from a conviction of their own guilt, it is certain the two Calavii, Novius, and Ovidius who were the ring-leaders in this conspiracy, before they were accused to the dictator, laid violent hands on themselves, and by a voluntary death prevented their trial. Afterwards when materials failed for carrying on the inquisition at Capua, the dictator, by explaining his commission in an extensive sense, transferred his court to Rome, pretending that the senate had not expressly restricted him to Capua, but given a general order to enquire into the conduct of all, who, in any place whatever, had been concerned in unlawful assemblies, or formed conspiracies to the prejudice of the state, and consequently to take notice of all combinations for intruding particular men into the offices of state, because they also were plots against the commonwealth. By this means the inquest became more extensive both with respect to the persons and causes, and the dictator owned without ceremony, that his commission to take such crimes under his cognizance was in all respects absolute and unlimited. So that several of the nobility were attainted, and when they applied to the tribunes for assistance, none of that college would

interpose to prevent inserting their names in the impeachment. Upon this, the Patricians, not those only who were impeached, but the whole order in general, asserted that the great men of obscure birth were the proper persons to be charged with this crime, and not they who, when there were no fraudulent practices employed against them, had easy access to honourable employments. Therefore it was more proper the dictator and general of the horse should themselves take their trial, than be judges in this case, and this they should both be made sensible of, as soon as their authority expired. This imputation made Mænius more thoughtful about his character than the authority of his office, and therefore he went directly to the assembly of the people, and expressed himself thus; "You are all acquainted, Romans, with the preceeding part of my life, and the honour you have conferred upon me is an evidence of my innocence. For whatever you may have done on many former occasions, when the necessities of the state required it, you were not at this time to choose the most celebrated warrior to be your dictator and preside in these inquisitions, but the person who of all others had led his life at the greatest distance from such ambitious associations and cabals. Yet since some noblemen, for what reason it is better you should judge for yourselves, than that I, who am a magistrate, should assert any thing whereof I am not absolutely certain, first used all their efforts to put an end to these inquisitions, and when they found this was beyond the reach of their power, to save themselves from taking their trial, they had recourse to the strong holds of their adversaries, and though patricians, endeavoured to screen themselves under the protection and support of the plebeian tribunes. When they were disappointed in this also, as much were they persuaded that every other method was safer than that of venturing to stand their trial and approve their innocence, that at last they have attacked our character, and, though private men, were not ashamed to impeach a dictator. Wherefore that gods and men may be fully satisfied, that rather than be obliged to give an account of their own actions they have undertaken what is not in their power, I am resolved to wipe off the aspersion, and therefore, to give my enemies an opportunity of bringing me to my trial, I demit my dictatorial power. To conclude, it is my request to you, consuls, that, in case the senate will intrust you with that power, you would first enquire into M. Fostius's conduct and mine, that it may appear to the conviction of all, we are secured against these accusations, merely by our innocence, and not by the lustre of the ho-

nours we have been advanced to in the state." Immediately after this, he resigned his dictatorship. M. Fostius also gave up his command of the horse; and as the senate committed that affair to the consuls, they were the first who stood their trial before them, and notwithstanding all the patricians could alledge to their disadvantage, were acquitted with great honour. Publius Philo, who had been often raised to the highest honours of the state, after many great exploits in war, and eminent services in peace, because the nobility were disaffected to him, was also obliged to take his trial, and acquitted. This inquisition, as commonly happens in such cases, was remarkable for the lustre of the persons who were brought to their trial only for a short while after it was first set on foot; soon after it descended insensibly to persons of less consideration, till at last it was quite stifled by the parties and cabals, which it was originally intended to suppress.

XXVII. The news of these intestine divisions, but especially the hopes of a revolt in Campania, in consequence of the conspiracy which had been formed by that people, brought the Samnites back from Apulia to Caudium, that being at hand they might take Capua from the Romans, if any commotion should present them with a fair opportunity. The consuls also marched to the same place with a powerful army, and as they had no way to come at the enemy without exposing themselves to hazard, they first halted near the two famous passes. Soon after, the Samnites making a small circuit through the country, marched their army down to the plain, and posted themselves in the fields of Campania. There the two armies first encamped in sight of one another, and tried their strength by slight skirmishes, wherein they employed parties of horse oftner than detachments of foot. The Romans had reason to be satisfied with the issue of these scuffles, as well as the methods they used to prolong the war. But the Samnite generals, on the other hand, apprehended that their strength was wasted by the small losses they were daily sustaining, and would be gradually consumed by the tedious progress of the war. Therefore having brought their army to the field, they posted their horse upon the wings, with orders to keep a more watchful eye to the camp, in case any attempt should be made upon it, than to the field of battle, because the infantry would be able enough to keep their ground in the action. On the other side the consul Sulpicius posted himself on the right, and his colleague Pœtilius on the left. As that part of the Samnite line which stood opposite to Sulpicius, was very thin because extended to a great length, either with design to surround their enemies or to pre-

vent their being surrounded themselves, so the right-wing of the Roman army was also drawn out to a considerable extent ; but as the left-wing was ranged in closer order, so it received additional strength from a sudden device of Publilius the consul, for he immediately brought up to the first line the cohorts, which in case the victory had been long disputed, were intended for a body of reserve, and then charging with all his forces at once, made the enemy give way at the first attack. When the Samnite infantry began to retire, their cavalry came up to their relief, but as they were endeavouring to throw themselves in between the two armies, the Roman horse advanced at full speed, and drove them back upon their own men with such fury, that the horse and foot with their respective standards were jumbled together in confusion. Nor did they cease till all that wing of the enemy's army was entirely routed. But Pœtelius was not the only general officer who encouraged the Romans on that wing, for as the battle was not yet begun on the right, Sulpicius hearing a shout set upon the other wing, abandoned his men and flew to the left, and as soon as he saw this part of the army secured in possession of victory, returned to his own wing with a reinforcement of twelve hundred men. But there he found the very reverse of what he had observed on the left, for the Romans had quitted their ground, and when once put in a consternation were vigorously pursued by the victorious enemy. However the consul's presence immediately put all to rights again; for as the soldiers recovered their courage upon seeing their general, so he had brought with him a reinforcement more considerable for the valour of the troops whereof it was composed than their numbers. These circumstances, together with the news, and soon after the sight of the victory gained by the other wing, retrieved the fortune of the battle. In a short time after, the Romans were entirely masters of the field, and the Samnites making no further opposition, were all taken prisoners, except such as fled to Maleventum, a city which has now changed its name to that of Beneventum. In this battle it is reported, that thirty thousand Samnites were slain or made prisoners.

XXVIII. The consuls having obtained this great victory, immediately thereafter marched to Bovianum (*a*), and passed the winter before it, until C. Pœtelius was nominated to the office of dictator, by the new consuls L. Papirius Cursor for the fifth, and C. Junius Bubulcus for the second time, took upon him the command of the army in conjunction with M. Foslius general of the horse. The new general having information that the citadel of Fregellæ was taken by the Samnites, left Bovianum and marched

to that city, but the Samnites having abandoned the place in the night, he recovered it without expence of blood, and having put a strong garrison in it returned to Campania, principally with a view to retake Nola. Upon his approach to that place, the whole multitude of the Samnites and the country people belonging to the Nolan territory had shut themselves up in the city. Wherefore the dictator, having taken an exact survey of the situation of the place, that he might have the more easy access to the walls, set fire to all the houses in the suburbs, which were very numerous and well inhabited. Not long after Nola was taken either by Pœtelius or C. Junius the consul, for some historians ascribe it to the one, and some to the other. Those who attribute the honour of this exploit to the consul, say also, that he made himself master of Atina and Calatia, and that Pœtelius was chosen dictator for no other reason than to perform the ceremony of driving the nail on account of a pestilential distemper. The same year colonies were planted at Suessa (*b*) and Pontia (*c*). Suessa had been a city of the Aurunci, and the Volsci had been in possession of Pontia, which was an island lying within sight of their own shore. An act of senate also passed for planting colonies at Interamna and Casinum (*d*). But they elected triumvirs to settle these plantations, and sent out four thousand citizens to those places. The present consuls were succeeded in their office by M. Valerius and P. Decius.

XXIX. Thus the war with the Samnites was near brought to a period; but before the Roman senators were quite eased of their concern about it, a report spread that a war was upon the point of breaking out with the Hetrurians, and next to the tumultuous invasions of the Gauls, there was no nation, at that time, whose arms were more terrible to the Romans, both on account of their near situation and the numbers of their men. Therefore while the other consul was prosecuting the remains of the war in Samnium, P. Decius, who was left at Rome in a very bad state of health, by order of the senate named C. Junius Bubulcus dictator. This general, as the importance of the occasion required, obliged all the youth to take the military oath, and got ready arms with the greatest diligence, yet he was not elated with all these great preparations, nor forward to begin the war, for he was fully resolved to remain quiet unless the Hetrurians should first take the field and attack the dominions of the republic. The Hetrurians had formed the same resolutions in their preparations and scheme for managing the war, so that neither of the two ventured out of their own dominions. This year was also

remarkable for the censorship of Appius Claudius and C. Plautius; but the name of Appius has been transmitted to posterity with the greatest honour because he paved a way(*a*), and brought an aquæduct(*b*) into the city, and these works he performed alone, because his colleague, ashamed of the infamous and odious method in which they made up the roll of the senate, had resigned his charge. From that time Appius, retaining the positive obstinacy ingrafted in his family from the beginning, performed the office of censor alone. By the advice of the same Appius, then the family of the Potitii(*c*) who had the privilege of performing the priestly office at the altar of Hercules(*d*) called the Ara Maxima, having instructed some public servants in the solemn rites of their function with a design to commit the exercise of their office to them as their delegates, an amazing effect is said to have ensued, and one that may justly deter from making the least alteration in the sacred institutions of religion. For though there were at that time twelve families of the Potitii and thirty persons above the age of fourteen years, they all died within the space of one year thereafter, and the whole race became extinct. Nor is it only observed that the name of the Potitii perished upon this occasion, but also that Appius the censor some years after, by the lasting resentment of the gods, entirely lost the sight of his eyes.

XXX. The next consuls, C. Junius Bubulcus for the third, and Q. Æmilius Barbula for the second time, in the very beginning of their administration, complained to the people that by a corrupt and unwarrantable election of the senators, that honourable order had been disgraced, and some persons been neglected who were far preferable to those enrolled. Wherefore they declared, that they would pay no regard to an election which had been made without the least regard to right or wrong, and entirely directed by humour and personal regard, and immediately called the senate according to the roll which had been used before the censorship of Appius Claudius and C. Plautius. This year, for the first time, the people began to confer two offices which had both a relation to military affairs. One of them was that of legionary tribunes; whereof it was proposed that the people should elect sixteen for four legions, whereas formerly few places being left to the suffrages of the people, that command had been in almost all instances bestowed by dictators and consuls at their pleasure. This bill was preferred by L. Atilius and C. Marcius. The other was that of naval duumvirs, whom it was proposed, the same people should elect for equipping and refitting their ships. This bill was

preferred by M. Decius, another of the tribunes. I should here omit a circumstance in itself scarce worth mentioning, if it did not seem to have a connexion with religion. The musicians who played upon the flute, displeased that they had been prohibited by the preceding censors to eat in the temple of Jupiter, according to an ancient tradition, went all together in one company to Tibur, so that there was none left to play before the sacrifices. This raised a religious scruple in the breasts of the senators, and ambassadors were sent to Tibur to endeavour to get these men restored to the Romans. The Tiburtines, having in a very obliging manner promised to use their endeavours, first called them to their senate, and exhorted them to return to Rome; but when no arguments could persuade them, they attacked them with a political contrivance, very well suited to the temper of these men. For upon occasion of a certain festival, one invited one man, another another, under pretence of assisting at the celebration of a feast. As these kind of men are generally exceeding fond of wine, they plied them with it till they were quite intoxicated and fast asleep, then put them in waggons and carried them to Rome; nor did they perceive how they had been served, till after having passed the night in the forum where the waggons were left, the light opened their eyes, while they were yet full of the fumes of their last-night's excesses. Upon this the people flocked about them, and having prevailed upon them to stay in their native city, allowed them the privilege of strolling through all the parts of the town, three days every year, playing upon their musical instruments, and indulging themselves in those licentious excesses which are practised in the present age. The privilege of eating in the temple was also restored to such of them as should be employed in playing before the sacrifices. This adventure happened while the Romans were making preparations for two very dangerous wars.

XXXI. The consuls having shared the provinces between them, it was Junius's lot to march against the Samnites, and Æmilius's to manage the war, which was but just breaking out in *Hetruria*. Though the Samnites could not reduce *Cluvia*, a Roman garrison in their country, by force of arms, they so straitened it by a blockade, that it was obliged to yield for want of provisions. But when the besieged surrendered themselves, they first scourged them with rods in an inhuman manner, and afterwards put them to death. Julius, highly provoked at this instance of barbarity, conceived he ought by all means to begin the campaign with the siege of *Cluvia*. Accordingly he took it by storm the very day

he came before it, and put all the men that were arrived at the years of maturity to the sword. From thence he led his victorious army to Bovianum, which was the capital city of the Pentri, and by far the most rich and powerful of all that country both with respect to men and arms. As the Romans were not so much incensed against the inhabitants of this city, the soldiers inspired by hopes of plunder became masters of the town, but made not such havoc among the enemies they found in it as they had done at Cluvia. The booty taken here was rather greater than had been brought out of Samnium, but the consul generously bestowed it all upon the soldiers. After this success the principal men among the Samnites, being sensible that the Romans were become so powerful, that none of their armies, camps nor towns could stand before them, thought of nothing but how to catch them by an ambuscade, in case their army should be allowed to scatter and pillage the country, and thereby leave room for surprise. To favour this design, some deserters of that country and prisoners, who either fell into his hands by chance or had thrown themselves purposely in his way, informed the consul, that a vast number of cattle was driven into a forest which lay far out of the way (*a*). As they all agreed in their accounts, and indeed their information was so far true, he was prevailed upon to march with some of the nimblest of his legions to carry off that booty. But a great army of the enemies, who had secretly beset all the passes, no sooner found the Romans had entered the forest, than they started up all on a sudden, and fell upon them with a terrible shout. This attack put them in some consternation, as it was altogether unexpected, but the surprise lasted only till they took their arms and laid their knapsacks together in a heap, for as soon as they had disengaged themselves of their burdens (*b*) and got their arms in order they ran from all quarters to their standards, and as they perfectly knew their own ranks, by a long acquaintance with military discipline, they now ranged themselves in battle array, without any order from their officers. Mean time the consul rode to that place where he observed the danger was greatest, and jumping off his horse "called Jupiter, Mars, and the rest of the gods to witness, that he had not brought them into that place with any intention to acquire glory to himself, but to purchase booty for his troops. Nor could any thing be blamed in his conduct, but too great an ambition to have his soldiers enriched at the enemy's expence, an imputation indeed from which nothing but their valour could save him. And this could not fail to do it effectually if they would but unanimously agree to fall



all at once upon the enemies, who after being beat in the field, driven out of their camp, and deprived of their towns, had now recourse to secret ambuscades and stratagems, as their last refuge, and confided in the advantage of their post when they had no further dependance upon their arms. But where is the place, said he, that can be proof against the Roman bravery?" and with that put them in mind of the citadels of Fregellæ and Sora, and all the actions wherein the Romans had come off with the victory, notwithstanding the disadvantage of the ground. The soldiers, animated by these reflections, and forgetting the difficulties they had to encounter, boldly made up to the enemy's army, which was posted on the hill directly above them, and though they met with some difficulty in forcing their way up the ascent, as soon as their first standards reached the plain on the top of the eminence, and the troops were sensible that they fought on equal terms, they turned the consternation to the side of those who lay in ambush to surprise them, so that the latter soon dispersed, threw down their arms and fled with precipitation to the skulking places where they had concealed themselves a little before. But their frauds turned to their own disadvantage, for the very places which they intended to improve to the destruction of the Romans obstructed themselves in their flight, so that very few of them escaped. In this engagement twenty thousand Samnites were slain, and afterwards the victorious Romans ran to seize the prey which the enemies had designedly thrown in their way (*c*).

XXXII. Whilst these things passed in Samnium, all the nations of Hetruria, except the Aretini alone, had put themselves in arms and began a terrible war with investing Sutrium, a city in strict alliance with the Romans, and which was a kind of barrier to them with regard to Hetruria. Upon this, Æmilius, one of the consuls, marched an army to save those allies from the severities of a siege, and when he approached the place and posted himself before it, the inhabitants sent plenty of provisions into his camp. The Heturians spent the first day in deliberating whether it would be most adviseable to spin out the war, or prosecute it with vigour, but the next, as their generals were more inclined to vigorous than safe measures, they gave the signal of battle about sun-rising, and advanced their arms to the field. As soon as the consul had notice of their motion, he ordered the soldiers to refresh themselves with a seasonable repast, and then take their arms. After these orders were obeyed, and he found them all ready, he commanded the standards to be moved out of the lines, and drew up his army in the order of battle at a small distance from the enemy. Both armies stood for some time upon

their arms, each waiting till the other should set up the shout and begin the battle, so that it was afternoon before any dart was thrown by either side. But in a little time the Heturians, for fear the armies should part again without an action, set up a shout, sounded their trumpets, and began the charge. Nor did the Romans receive them with less courage and bravery. Both armies fought with great fury, but though the Heturians had the advantage in point of numbers, the Romans were superior in valour. In this bloody battle many fell on both sides, and all the bravest men were slain, nor did victory declare itself till the second line of the Roman army advanced with fresh courage to relieve the first, that by this time was quite faint with fighting. The Heturians, because they had no more fresh troops to support their line of battle, fell bravely round their standards. Never was there an engagement, where so few would have fled, or so many been slain, if the night had not seasonably come on to cover the Heturians, who were fully determined to fight to the last man, and die rather than recoil, so that the victorious Romans gave over fighting before their routed enemies. At sun-set the retreat was sounded, and during the night both armies retired to their respective camps. After this action nothing worth mentioning happened at Sutrium, all the rest of that year, because on the one hand the whole first line of the Heturians was cut to pieces in that one engagement, and there was scarce so many of their body of reserve left alive as could be a sufficient guard for their camp, whilst on the other the Romans had suffered so extremely, that many more died afterwards of their wounds than fell in the field.

XXXIII. Q. Fabius, one of the consuls chosen for the next year, was employed to prosecute the war at Sutrium. C. Marcius Rutilus was (*a*) assigned him as his colleague in the consulate, and as Fabius had brought a reinforcement with him from Rome, so the Heturians had also a new army sent them from their own country. Many years had now past without any contentions between the patrician magistrates and the plebeian tribunes, when a family, which, by a kind of fatality, seemed to inherit a constant enmity to the people and their tribunes, gave occasion to new disputes. Appius Claudius the censor, notwithstanding eighteen months, which was the time limited by the Æmilian law (*b*), were expired since he entered upon office, and his colleague C. Plautius had demitted his charge, could by no means be prevailed upon to resign. P. Sempronius was one of the tribunes of the people, and had commenced a plea to oblige him to put an end to his

office as censor within the time prescribed by the law, a design no less reasonable than it was popular, nor more agreeable to the commons than to every other good man in the state. In the prosecution of this suit, after he had more than once taken notice of the Æmilian law, and extolled with the highest praises Marcus Æmilius the dictator who had passed it, because he had thereby reduced, to the bounds of eighteen months, an office, which before his time had continued in the same hands for the space of five years, and by this length of its duration acquired exorbitant power, addressed himself to the censor in the following manner, "Tell us, Appius," said he, "what you would have done, had you been censor when C. Furius and M. Geganius were in possession of that office (*c*)?" Appius answered, that the tribune's question had no great relation to his case; for though the Æmilian law was binding upon these censors, who served at that time, because it was enacted by the people after they entered upon their office, and the laws last passed are those that are understood to be in full force, yet it could not be extended to him, nor any of those who had served in the censor's office since that time."

XXXIV. Whilst Appius was cavilling in this manner to the satisfaction of none that heard him, "See Romans," said the other, "the true progeny of that Appius, who, when he was elected decemvir for one year, elected himself for the next, the third, though neither chosen by himself nor any one else, retained the power and the badges of that office, and never ceased to continue his usurped power till the same authority which he acquired by usurpation, executed with injustice, and maintained with tyranny, crushed him to pieces in the end. This is the family, Romans, by whose oppression and injustice you were banished from your native country and obliged to take possession of the sacred mountain, in opposition to which you were obliged to employ the assistance of your tribunes, and on whose account two Roman armies of the Roman people were obliged to post themselves on the Aventine-hill (*a*). This is the family which always opposed your bills against usury, and obstructed the passing of the Agrarian laws (*b*). This is the family that put a stop to intermarriages between the Patricians and Plebeians, and shut up your way to curule offices (*c*). In a word, the Claudian name has been always more fatal to your liberty than the Tarquins. Is this then the case, Appius Claudius, that though a hundred years have now passed since the time of Æmilius the dictator, and there have been so many censors, men of the highest birth and greatest courage, yet none of them has ever read the twelve tables (*d*): none of them

discovered that the law in force was that which the people enacted last? The truth is, they all knew it, and therefore gave obedience to the Æmilian law, rather than that antiquated one which was in force at the first institution of censors, because it was the latest the people had passed upon that subject, and because wherever there are two contrary laws, the old is repealed by the new. Or will you say, Appius, that the people are not bound to submit to the Æmilian law? or that the people are indeed bound to submit to it, but you are the only person who are above all laws? These two furious censors, Caius Furius and M. Geganius found themselves obliged to submit to the Æmilian law, though in their conduct they gave a flagrant instance of the mischief these officers are capable to do in the state, when they degraded from his tribe Mamercus Æmilius, one of the most considerable men of the age, both in the cabinet and in the field. All the censors since that time for the space of no less than an hundred years have submitted to it. Your own colleague C. Plautius submits to it, though he was elected with the same auspices and vested with the same privileges you are yourself. Did not the people intend to invest him at his creation with all the rights that are consistent with the office of censor? Or are you the only person superior to all others, who have a right to this special and distinguishing privilege? Will you allow that the person whom you have created king at the sacrifices, should explain that title in the most extensive sense, and pretend that he is sufficiently authorised to act as king of Rome in the strongest meaning of that expression? If this is the case, who, do you think, would be satisfied with dictatorial power limited to the space of six months, or during an interregnum, content to rule only for five days? At this rate, is there any person, in whom you have such confidence, as to venture to create him dictator merely for the ceremony of driving a nail, or presiding at the public diversions? What dastards and fools, do you imagine, Appius deems those great men to have been, who, after performing glorious exploits, resigned their dictatorships within the short space of twenty days, or demitted their charges when it was found that any necessary formality was not observed in their creation? But what need I have recourse to ancient times for instances of this kind? When we have one within these ten years in the person C. Mænius(c), who when he carried on an inquisition against those who had been concerned in plots against the state with greater strictness than was consistent with the safety of some great men, was accused by his enemies of a concern in the crime, which by the intention of

his office he ought to suppress, and therefore that he might have access in a private character to wipe off the aspersion, immediately resigned his dictatorial power. I shall not demand of you such an instance of moderation and self-denial, nor that you swerve in the least from the consummate pride and haughtiness of your family, by throwing up your office a day or an hour sooner than is necessary, providing you will not continue it beyond the period fixed by law. It is crime enough to add one month or even a day to the legal duration of the censor's office. But I, says Appius, will maintain my censorship three years and a half longer than the Æmilian law allows, and I will have the sole exercise of that power. Why truly this looks very like claiming a regal authority, or will you choose a colleague for yourself in the room of Plautius, which you could not do without impiety, even supposing he had died before his censorship expired? For your zeal for religion is not satisfied with taking one of the most ancient of all our solemn sacrifices, and the only one instituted by the god to whom it is offered, out of the hands of priests of the greatest worth and quality, to lodge it in those of slaves, so that by means of you and your censorship, a family of older standing than the foundations of this city, that had acquired a kind of sanctity by entertaining the immortal gods was entirely cut off root and branch in the space of one year, unless you involve the whole state in the crime which I cannot bear to speak or think of without horror. Our city was taken in that lustrum, wherein L. Papirius Cursor, upon the death of C. Julius, that he might not be obliged to resign his office, substituted M. Cornelius Maluginensis in his stead? (a) And pray how much more modest was his ambition than yours, Appius; Papirius neither pretended to exercise the office of censor alone, nor did he extend it beyond the time appointed by law, yet he found none that would afterwards follow his example, for all the succeeding censors resigned their office upon the death of their colleagues; but as for you, you do not mind that the term appointed for your office is elapsed, nor that your colleague is resigned his charge. Modesty and the laws of your country are no restraints upon you, for you act as if you thought virtue consisted in haughtiness, impudence, and insolent contempt of gods and men. For my own part, Appius Claudius, out of regard to the dignity of the station in which you once served the state, I will be so far from laying violent hands upon you, that I would not choose to drop a rough or disobliging expression in expostulating with you; what I have hitherto done has been extorted by your obstinacy and pride, which obliges me to tell you

further, that unless you subject yourself to the *Æmilian* law, I will order you to be carried to prison. And since our ancestors have made a regulation, that unless at the election of censors there be two who have the number of suffrages appointed by law, the *comitia* shall be prorogued without declaring any duly elected. I will not suffer that you, who could not have been elected alone, to exercise that office without a colleague." Having advanced these and other things to the same purpose, he ordered the censor to be apprehended and carried to prison; but though six tribunes seconded their colleague *Sempronius*, at the earnest solicitation of *Appius*, three interposed in his favour, and to the great dissatisfaction of all ranks, he exercised the censor's office alone.



THE END OF THE FIRST VOLUME.

# A CHRONOLOGICAL TABLE

TO THE FIRST EIGHT BOOKS AND PART OF THE NINTH BOOK OF THE  
ROMAN HISTORY OF TITUS LIVIUS.

<i>Yr. bef. Rom.</i>		<i>Page</i>	<i>Yr. Bef. of R. J.C.</i>	<i>Consuls.</i>	<i>Con- sulat.</i>	<i>Page</i>
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429		ib.	259 493	Ap. Claudius, P. Servilius.	15	108
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18		23	261 491	Sp. Cassius, Postumus Cominius	17	121
1		24				
			262 490	T. Geganius, P. Minucius.	18	122
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1 751	Romulus	38	264 488	Q. Sulp. Camerinus, Lartius Flavius.	20	omit.
38 713	An interregnum	1				
39 712	Numa Pompilius	43	265 487	C. Julius Iulus, L. Papirius Rufus.	21	omit.
82 670	Tullus Hostilius	32				
114 638	Ancus Marcius	24	266 486	Sp. Nautius, S. Furius.	22	127
138 614	Tarquinus Priscus	38	267 485	T. Sicinius, C. Aquilius.	23	129
176 576	Servius Tullius	44				
220 532	Tarquinus Superbus	25	268 484	Sp. Cassius, Proculus Virginus.	24	130
	End of the regal go- vernment which sub- sisted	945	269 483	Ser. Cornelius, Q. Fabius.	25	131
	<i>Consuls.</i>	<i>Con- sulat.</i>	270 482	L. Æmilius, Cæso Fabius.	26	ib.
245 507	L. Junius Brutus, L. Tarquinus Colla- tinius.	I 86	271 481	M. Fabius, L. Valerius.	27	ib.
	The latter obliged to abdicate, and is suc- ceeded by P. Valeri- us Poplicola.		272 480	Q. Fabius, C. Julius.	28	132
	The former killed and succeeded by S. Lu- Tricipitinus, who dies, and is succeed- ed by M. Hor. Pul- villus.		273 479	Cæso Fabius, Sp. Furius.	29	ib.
246 506	P. Valer. Poplicola, T. Lucretius.	2	274 478	M. Fabius, Ca. Manlius.	30	133
247 505	P. Valer. Poplicola, P. Lucretius.	3	275 477	Cæso Fabius, T. Virginus.	31	139
248 504	Sp. Lartius, T. Herminius.	4	276 476	L. Æmilius, C. Servilius.	32	141
249 503	M. Valerius, P. Posthumus.	5	277 475	C. Horatius, T. Menenius.	33	143
250 502	P. Val. Poplicola, T. Lucretius.	6	278 474	A. Virginus, Sp. Servilius.	34	143
251 501	Agrippa Menenius, P. Posthumus.	7	279 473	C. Nautius, P. Valerius.	35	144
252 500	Opiter Virginus, Sp. Cassius.	8	280 472	L. Furius, C. Manlius.	36	145
253 499	Postumus Cominius, T. Lartius.	9	281 471	L. Æmilius, Opiter Virginus.	37	146
254 498	Servius Sulpicius, Manius Tullius.	10	282 470	L. Pinarius, P. Fortius.	38	148
255 497	T. Æbutius, C. Vetustus.	11	283 469	Ap. Claudius, T. Quinctius.	39	ib.
256 496	Q. Cloelius, T. Lartius.	12	284 468	L. Valerius, Tib. Æmilius.	40	153
257 495	A. Sempronius, M. Minutius.	13	285 467	T. Numicius Priscus, A. Virginus.	41	154
			286 466	T. Quinctius, Q. Servilius.	42	155
			287 465	Tib. Æmilius, Q. Fabius.	43	157
			288 464	Q. Servilius, Sp. Posthumus.	44	158

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289 463	Q. Fabius, T. Quinctius.	45	158	309 443	T. Quinct. Capito- linus, Agrippa Furius.	69	226
290 462	A. Posthum. Albus Sp. Furius Eusne.	46	155	310 442	M. Genucius, C. Curtius.	63	235
291 461	L. Æbutius, P. Servilius.	47	163		<i>Military Tribunes with consular Power chosen this Year.</i>	<i>Mil. trib.</i>	
292 460	L. Luc. Tricipitinus, T. Vetur. Geminus.	48	165	311 441	A Sempronius A- tratinus, L. Atilius, T. Cæcilius.	1	243
293 459	P. Volturnius, Ser. Sulpicius.	49	168		Their magistracy lasted only three months, and for the rest of the year Consuls were cho- sen, viz.		
294 458	C. Claudius, P. Val. Poplicola. The latter dies, and his place supplied by L. Quinctius.	50	173		L. Papirius Mugil- lanus, L. Sempronius A- tratinus.	64	244
295 457	Q. Fabius Vibulanus, L. C. Maluginensis.	51	181	312 440	M. Geg. Macerinus, T. Q. Capitolinus.	65	245
296 456	L. Minucius, C. Nautilus.	52	184	313 439	M. Fab. Vibulanus, P. Æbut. Cornicen.	66	ib.
297 455	Q. Minucius, C. Horat. Pulvillus.	53	189	314 438	C. Furius Pacilus, M. Pap. Crassus.	67	249
298 454	M. Valerius, Sp. Virginus.	54	190	315 437	Proculus Geganius Macerinus, L. Menen. Lanatus.	68	ib.
299 453	T. Romilius, C. Veturius.	55	ib.	316 436	T. Q. Capitolinus, A. Menen. Lanatus. <i>Military Tribunes, with consular Power.</i>	<i>Mil. trib.</i>	
300 452	Sp. Tarpeius, A. Ardonius.	56	ib.	317 435	Mamercus Æmilius, L. Quinctius, L. Julius.	2	254
301 451	P. Curatius, Sextus Quintilius.	57	191		<i>Consuls.</i>	<i>Cons.</i>	
302 450	C. Menenius, P. Sest. Capitolinus. <i>Decemvirs.</i>	58	ib.	318 434	M. Geg. Macerinus, L. Sergius Fidenas.	70	255
303 449	Ap. Claudius, T. Genucius, P. Sestius, L. Veturius, C. Julius, A. Manlius, Ser. Sulpicius, P. Curatius. T. Romilius, Sp. Posthumius.	1	191	319 433	M. Cornelius Malu- ginensis, L. Pap. Crassus.	71	251
304 448	Ap. Claudius, M. C. Maluginensis, L. Minucius, Q. Fabius Vibulanus, Q. Postillius, T. Anton. Merenda, Cæso Duilius, Sp. Op. Cornicen, Man. Rabuleius.	9	194	320 432	C. Julius, L. Virginus.	72	259
305 447	The same men con- tinue themselves Decemvirs for this Year.	3	195	321 431	The same Consuls re-elected. <i>Military Tribunes with consular power.</i>	73	260
	<i>Consuls.</i>	<i>Con- sulat.</i>		322 430	M. Fab. Vibulanus, M. Fossilius, L. Sergius Fidenas.	3	262
306 446	L. Valerius, M. Horatius.	59	214	323 429	L. Porsius Mamer- cinus, L. Furius Medullinus, Sp. Posthumius Al- bus.	4	ib.
307 445	Lar. Herminius, T. Virg. Collimon- tanus.	60	225		<i>Consuls.</i>	<i>Cons.</i>	
308 443	M. Geg. Macerinus, C. Julius.	61	225	324 428	T. Quinctius Cin- cinnatus. C. Julius Monto.	74	263
				325 427	L. Papirius Crassus, L. Icilius.	75	266



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326 426	L. Sergius Fidenas, Hostus Lucretus Tri- cipitinus.	76	268	344 408	M. P. Atratinus, C. Naut. Rutilus.	83	294
327 425	A. Cornelius Cossus, T. Quinct. Pennus.	77	ib.	345 407	Mamer. Æmilius, C. Val. Potitus.	84	295
328 424	C. Servilius Ahala, L. Papirius Mugil- lanus.	78	269	346 406	Cn. Corn. Cossus, L. Fur. Medullinus.	85	296
	<i>Military Tribunes with consular power.</i>	<i>mil. trib.</i>			<i>Mil. tribunes with consular power.</i>	<i>mil. trib.</i>	
329 423	T. Quinct. Pennus, C. Furius, M. Posthumius, A. Cornelius Cossus.	5	ib.	347 405	C. Julius Iulus, P. Cornel. Crassus, C. Servilius Ahala,	16	298
330 422	A. Semp. Atratinus, L. Q. Cincinnatus, L. Fur. Medullinus, L. Hor. Barbatus.	6	274	348 404	L. Fur. Medullinus, C. Valerius Potitus, N. Fab. Vibulanus, C. Servilius Ahala.	17	299
331 421	Ap. Claud. Crassus, Sp. Naut. Rutilus, L. Sergius Fidenas, S. Julius Iulus.	7	ib.	349 403	B. Cornelius Cossus, Cn. Cornel. Cossus, N. Fab. Ambustus, L. Val. Potitus.	18	ib.
	<i>Consuls.</i>	<i>cons.</i>		350 402	T. Q. Capitolinus, P. Q. Cincinnatus, C. Julius Iulus, A. Manlius, L. Fur. Medullinus, M. E. Mamercinus.	19	304
332 420	C. Sem. Atratinus, Q. Fab. Vibulanus.	79	276		C. Val. Potitus, M. Serg. Fidenas, P. C. Maluginensis, Cn. Corn. Cossus, Cneo F. Ambustus, Sp. Naut. Rutilus.		
	<i>Mil. tribunes with consular power.</i>	<i>mil. trib.</i>		351 401	Manius Æmilius Mamercinus, M. Val. Potitus, Ap. Claud. Crassus, M. Quinct. Varus, L. Julius Iulus, M. Posthumius, M. Fur. Camillus, M. Posth. Albinus	20	305
333 419	L. M. Capitolinus, Q. Ant. Merenda, L. P. Mugillanus.	8	281		C. Serv. Ahala, Q. Servilius, L. Virginus, Q. Sulpicius, A. Manlius, Manius Sergius.	22	315
	<i>Consuls.</i>	<i>cons.</i>		352 400	L. Val. Potitus, M. Fur. Camillus, Manius Æmil. Ma- mercinus, Cn. Corn. Cossus, Cneo Fab. Ambustus, L. Julius Iulus.	21	307
334 418	N. Fab. Vibulanus, T. Q. Capitolinus.	80	282		P. Licinius Calvus, P. Mænius, L. Titinius, P. Mælius, L. Publi. Volens.		
	<i>Mil. Tribunes with consular power.</i>	<i>mil. trib.</i>		353 399	M. Veturius, M. Pomponius, C. Duilius, Volero Publius, Cn. Genucius, L. Atilius.	23	317
335 417	L. Q. Cincinnatus, L. Fur. Medullinus, M. Manlius, A. Sem. Atratinus.	9	284				
336 416	Ag. Men. Lanatus, P. L. Tricipitinus, Sp. Nautius, C. Servilius.	10	285				
337 415	L. Serg. Fidenas, M. P. Mugillanus, C. Servilius.	11	286				
338 414	Ag. Men. Lanatus, L. Serv. Structus, P. L. Tricipitinus, Sp. Rutilus Crassus.	12	288				
339 413	A. Sem. Atratinus, M. P. Mugillanus, Sp. Naut. Rutilus.	13	ib.				
340 412	P. Cornelius Cossus, C. Valer. Potitus, Quin. Cincinnatus, N. Fab. Vibulanus.	14	289				
341 411	Q. Fab. Vibulanus, Cn. Corn. Cossus, L. Valer. Potitus, Posth. Regillensis.	15	291				
	<i>Consuls.</i>	<i>cons.</i>					
342 410	M. Corn. Cossus, L. Fur. Medullinus.	81	293				
343 409	Q. Fab. Ambustus, C. Fur. Pacilius.	82	294				

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<i>of R. J. C.</i>		<i>consular power. trib.</i>		<i>of R. J. C.</i>		<i>consular power. trib.</i>	
357	395	L. Val. Potitus,	96 393	369	368	S. C. Maluginensis,	96 373
		M. Val. Maximus,				Q. Serv. Fidenas,	
		M. Fur. Camillus,				L. Q. Cincinnatus,	
		L. F. Medullinus,				L. Horat. Pulvillus,	
		Q. Serv. Fidenas,				P. Valerius.	
		Q. Sul. Camerinus.		370	369	A. Manlius,	97 379
358	394	L. Julius Iulus,	97 394			P. Cornelius,	
		L. Fur. Medullinus,				T. Q. Capitolinus,	
		L. Serg. Fidenas,				L. Q. Capitolinus,	
		A. Post. Regillensis,				L. Papirius Cursor,	
		P. C. Maluginensis,				C. Sergius.	
		A. Manlius.		371	361	S. C. Maluginensis,	38 387
359	393	P. Licinius,	98 397			P. Val. Potitus,	
		L. Titinius,				M. Fur. Camillus,	
		P. Mænius,				Ser. Sulp. Rufus,	
		P. Mælius,				C. Papirius Crassus,	
		Ca. Genucius,				T. Q. Cincinnatus.	
		L. Atilius.		372	380	L. Valerius,	39 392
360	399	P. Corn. Cossus,	99 328			A. Manlius,	
		P. Corn. Scipio,				Ser. Sulpicius,	
		M. Val. Maximus,				L. Lucretius,	
		Cæso F. Ambustus,				L. Æmilius,	
		L. Fur. Medullinus,				M. Trebonius.	
		Q. Servilius.		373	379	Sp. Papirius,	40 393
361	391	M. Fur. Camillus,	30 335			L. Papirius,	
		L. Fur. Medullinus,				S. C. Maluginensis,	
		C. Æmilius,				Q. Servilius,	
		L. Val. Poplicola,				Ser. Sulpicius,	
		Sp. Posthumius,				L. Æmilius.	
		P. Corvælius.		374	378	M. Fur. Camillus.	41 ib.
		<i>Consuls</i>	<i>cons.</i>			A. Posthum. Reg.	
362	390	L. Lucret. Flaccus,	86 339			L. Posthum. Reg.	
		Ser. Sul. Camerinus.				L. Furius,	
363	389	L. Val. Potitus,	87 341			L. Lucretius,	
		M. Manlius.				M. Fab. Ambustus.	
		<i>Mil. tribunes with</i>	<i>mil.</i>	375	377	L. Valerius,	42 393
		<i>consular power.</i>	<i>trib.</i>			P. Valerius,	
364	388	L. Lucretius,	31 312			C. Sergius,	
		Servius Sulpicius,				L. Menenius,	
		M. Æmilius,				Sp. Papirius,	
		L. F. Medullinus,				S. C. Maluginensis.	
		Agrippa Furius,		376	376	P. Manlius,	43 402
		C. Æmilius.				C. Manlius,	
365	387	Q. Sulpic. Longus,	32 347			L. Julius,	
		Q. Servilius,				C. Sextilius,	
		Sr. Corn. Maluginensis,				M. Attilius,	
		3 Fabii.				L. Antistius.	
366	386	L. Val. Poplicola,	33 366	377	375	Sp. Furius.	44 403
		L. Virginius,				Q. Servilius,	
		P. Cornelius,				C. Licinius,	
		A. Manlius,				P. Clodius,	
		L. Æmilius,				M. Horatius,	
		L. Posthumius.				L. Geganius.	
367	385	T. Q. Cincinnatus,	34 371	378	374	L. Æmilius,	45 404
		Q. Serv. Fidenas,				P. Valerius,	
		Julius Iulus,				C. Veturius,	
		L. Aquil. Corvus,				Ser. Sulpicius,	
		L. Lucretius Tricipitinus.				L. Q. Cincinnatus,	
		Ser. Sulp. Rufus.				C. Q. Cincinnatus.	
368	384	L. Papirius.	35 379	The intervening years without any supreme magistrate.			
		C. Cornelius,					
		C. Sergius,					
		L. Æmilius,					
		L. Menenius,					
		L. Val. Poplicola.					
369	383	M. Fur. Camillus,	36 ib.	385	367	L. Furius,	46 405
						A. Manlius,	

# CHRONOLOGICAL TABLE.

<i>Yr. Bef. of R. J. C.</i>	<i>Mil. tribunes with consular power.</i>	<i>Mil. pag. trib.</i>	<i>Yr. Bef. of R. J. C.</i>	<i>Consuls.</i>	<i>con- sulat.</i>	<i>pag.</i>
385 367	Ser. Sulpicius, Ser. Cornelius, P. Valerius, C. Valerius, Q. Servilius, C. Veturius, A. Cornelius, M. Cornelius, Q. Quinctius, M. Fabius.	46 409	411 341	C. Mar. Rutilus, T. Man. Torquatus.	110 447	
386 366		47 ib.	412 340	M. Val. Corvus, A. Cornel. Cossus.	111 448	
387 365	T. Quinctius, Ser. Cornelius, Ser. Sulpicius, Sp. Servilius. L. Papirius, L. Veturius.	48 411	413 339	C. Marcius Rutilus, Q. Servilius.	112 462	
388 364	A. Cornelius, M. Cornelius, M. Geganius, P. Manlius, L. Veturius, P. Valerius.	49 416	414 338	C. Plautius, M. E. Mamercinus.	113 468	
	Consuls.	cons.	415 337	T. M. Torquatus, P. Decius Mus.	114 471	
389 363	L. Sextius, L. E. Mamercinus.	38 421	416 336	T. E. Mamercinus, Q. Publilius.	115 483	
390 362	L. Genucius, Q. Servilius.	89 ib.	417 335	L. Fur. Camillus, C. Mænius.	116 484	
391 361	C. Sulpic. Pæticus, C. Licinius Stolo.	90 422	418 334	C. Sulpicius, P. Ælius.	117 487	
392 360	Cn. Genucius, L. Æmilius.	91 423	419 333	L. Papirius Crassus, Cæso Duilius.	118 488	
393 359	C. Servilius Ahala, L. Genucius.	92 424	420 332	T. Val. Corvus, M. Antil. Regulus.	119 ib.	
394 358	C. Sulpicius, C. Licinius Calvus.	93 429	421 331	T. Veturius, Sp. Posthumius.	120 489	
395 357	M. Fab. Ambustus, C. Pætilius Balbus	94 431	422 330	A. Cornelius, Cn. Domitius.	121 ib.	
396 356	M. Popillius Lænas, C. Manlius.	95 432	423 329	M. Cl. Marcellus, C. Valerius.	122 490	
397 355	C. Fabius, C. Plautius.	96 443	424 328	L. Papirius, C. Pætelius.	123 omit.	
398 354	Cn. Marcius, Cn. Manlius.	97 437	425 327	L. Papirius Crassus, L. Plaut. Venno.	124 491	
399 353	M. Fab. Ambustus, Popillius Lænas.	98 438	426 326	L. E. Mamercinus, C. Plautius.	125 492	
400 352	C. Sulp. Pæticus, M. Val. Poplicola.	99 440	427 325	P. Plaut. Proculus, P. Corn. Scapula.	126 494	
401 351	M. Fab. Ambustus, T. Quinctius.	100 441	428 324	L. Corn. Lentulus, Q. Pub. Philo.	127 495	
402 350	C. Sulp. Pæticus, M. Val. Poplicola.	101 ib.	429 323	C. Pætelius, L. Pap. Mugillanus.	128 497	
403 349	M. Val. Poplicola, C. Marcius Rutilus.	102 443	430 322	L. Fur. Camillus, Jun. Brut. Scæva.	129 503	
404 348	C. Sulpic. Pæticus, T. Quinct Pennus.	103 444	431 321	C. Sulpicius, Q. Aulius.	130 513	
405 347	M. Popillius Lænas, L. Cornel. Scipio.	104 445	431 320	Q. Fabius, L. Fulvius.	131 514	
406 346	L. Fur. Camillus, Ap. Cland. Crassus.	105 447	432 319	T. Veturius, Sp. Posthumius.	132 518	
407 345	M. Val. Corvus, M. Popil. Lænas.	106 ib.	434 318	Q. Publilius, L. Papirius.	133 522	
408 344	T. M. Torquatus, C. Plautius.	107 ib.	435 317	L. Papirius, Q. Aulius.	134 528	
409 343	M. Val. Corvus, O. Pætelius.	108 ib.	436 316	M. Fostius, L. Plautius.	135 546	
410 342	M. Dorso, Ser. Sal. Camerinus.	109 447	437 315	C. Junius, Q. Æmilius.	136 547	
			438 314	Sp. Nautius, M. Popillius.	137 ib.	
			439 313	L. Papirius, Q. Publilius.	138 ib.	
			440 312	M. Pætelius, C. Sulpicius.	139 550	
			441 311	L. Papir. Cursor, C. Jun. Bubulcus.	140 556	
			442 310	M. Valerius, P. Decius.	141 557	
			443 309	C. Jun. Bubulcus, Q. Æmil. Barbula.	142 558	
			444 308	Q. Fabius, C. Mar. Rutilus.	143 562	



# NOTES

ON THE

## FIRST EIGHT BOOKS AND PART OF THE NINTH BOOK OF THE ROMAN HISTORY OF LIVY.

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### NOTES ON THE FIRST BOOK.

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SECTION I. (a) A CITY of the Lesser Asia, most commonly, but properly seemeth to signify the whole country of Phrygia. It was famous for holding out, in a siege of ten years, against the whole power of Greece, but at last it was burnt and destroyed, in the year of the world 2800, before the birth of Christ 1184, and before the building of Rome 431. It took its name from Tros, the third king of the country, and was situate near the Dardanelles.

(b) A country of the Lesser Asia, lying between Pontus and Bithynia.

(c) Gulph of Venice.

(d) Their country lay near Verona in Lombardy.

(e) A long chain of mountains, beginning at the mouth of the Var, and falling into the sea of Genoa. After several irregular turnings of above eight hundred miles, they end at a little river in Istria, which is called Arsia, or Arsa. So that the Alps are a barrier, which separates Gaul, Germany, and Illyricum, from Italy.

(f) Venetians.

(g) By the conduct and prudent management of its kings, this country, which lies in Europe, from the smallest beginnings, became mistress of an hundred and fifty different people. The achievements of king Philip, and Alexander the Great, have gained it immortal fame. It was bounded on the north by Dalmatia, and Mœsia Montana, now called Servia, on the upper side, and Bulgaria on the lower; by the Adriatic or Ionian sea on the west; on the east by the Ægean, which is part of the Mediterranean sea, near Greece, dividing Europe from Asia, and is vulgarly called the Archipelago, and by the Turks the White Sea. On the south it was bounded by Epirus and Greece properly so called. It was called Macedonia from a son of Osiris; or, according to Steph. and Solinus, from a son of Jupiter. Seneca, de Benef. 3. commends this nation for rigorously punishing ingratitude.

(h) A large and fruitful island between Italy and Africa.

(i) The metropolis of this country was Laurentum, so called from the multitude of laurel trees growing about it. Varro, b. iv. *Of the Latin tongue*. Its territories, which were but small, lay on the east side of the river Tiber, in the present Campagna di Roma, and abounded with wild boars, as its lakes did with frogs. It is now called Torre di Paterno.

(k) Some think they were so called *quasi ab origine*, i. e. *original inhabitants* of that country. Others say from their being *vagrants*, *quasi Aberrigines*. Others, *mountaineers*, ἀπὸ πῆς ἐν τοῖς ὄρεσιν οἰκήσεως, *from their dwelling in the mountains*. The etymology of their name must then be ἀπ' ὀρέων γένος. Festus Pompeius declares for the second, and Dionysius Halicarnass. in his first book, mentions all these three derivations of their name.

(l) It seems to have been situated on that hill which is now called Monte di Levano, where Pratica now stands. Dion. Halicar. in his first book, says, that

it was but half a mile distant from the sea; and according to Strabo it lay between Ostia and Antium. Some have contended it was the same with Lanuvium; but the difference between these two cities may be seen in Carolus Sigonius's Scholia on the viiith book of Livy. For this see likewise Danqu. ad Silium, p. 546.

SECTION II. (a) They dwelt on the sea coast of the present Campagna di Roma, between Patrica and Nettuno.

(b) Who inhabited that part of ancient Hetruria, which comprehended what is now called St. Peter's Patrimony, the duchy of Castro, and the territories of Orvietto and Perugia.

(c) It is now a small town in the Ecclesiastical State, called Cervetri. It was anciently the capital of one of the twelve lucumonies of Hetruria. The tradition is, that it was first called Agylla, and built by Grecians who came from Thessaly. But afterwards, when the people of Lydia, now called Carasia, made war on the Agyllini, as one walking under the walls asked the name of the city, he was answered by one of the inhabitants *Χαίρε*, which the enemy took for a good omen, and from that, when it was taken, changed its former name into that of Cære. Strabo, b. v. says, there was scarce any vestige of that noble and magnificent city in his days. The registers wherein the censors set down the names of such citizens, as, for any misdemeanor, they deprived of their suffrage, or vote, were from this town called *Cerites Tabulae*. Aul. Gell. 16. 13. For the people of Cære, upon the taking of Rome by the Gauls, in the year of Rome 365, courteously received and entertained those Romans who fled for refuge to them, with their gods, and the fire of the goddess Vesta, which was never to be extinguished. The Romans ill requited them, upon the restoration of their state, for, though they made them free of Rome, yet they did not allow them the right of suffrage. Strabo, b. v. And hence it came, that whoever was deemed deserving of having a mark of infamy stamped upon him, was said to merit *Cerite cerâ*. Festus, as well as Val. Max. b. 1, says, that from *Cære* and *maneo*, to remain or continue, the Roman religious rites were called *ceremonies*: for the Romans continued to perform their sacred rites, during their stay at Cære.

(d) Hetruria, called also now Etruria, Tuscia, and Thuscia, was a large hilly country of Italy, extending itself from the Tyrrhenian sea to the Apennine hills, and from Liguria to the Tyber. Its inhabitants were commonly called by the Greeks Tyrrhenians, who possessing so much of the coast, gave their name to the sea which washes it. This mighty state was divided into twelve cantons, called lucumonies, which were subject to twelve chiefs, who ruled them with a sort of sovereign authority. The names of the capital cities of the twelve lucumonies were these, Clusium, Perusia, Cortona, Arretium, Volaterra, Vetulonium, Rusellæ, Tarquinii, Volsinii, Cære, Falerii, and Veii. From this country the Romans learned their arts, sciences, and religious institutions for a long time, and before their conquest of Greece, sent their children thither to be educated.

(e) Now Rio di Nimi, a rivulet. It ran close by Lavinium.

(f) Men deified were called by this name.

SECTION III. (a) Called Longa, from its being extended the whole length of a lake near which it was founded. Dionys. Hal. b. i. Alba, *white*, from the white sow which Æneas found, in the place where it was built, on his landing. Tibullus, 2, 5. Prop. 4. 1. Virg. Æn. 3. Juven. Sat. 12. Its wines are much

celebrated by Horace, Pliny, and many others. It is now called Palazzolo, and is situated between Monte Cavo, and the lake of Castello Gandolpho.

(b) The most noted river in Italy, rising out of the Apennine mountains. It divides Tuscany from Latium, and runs between Rome and the hill Janiculum. It empties itself into the sea by two mouths, at a small distance from each other. It was formerly called Albula, from the whiteness of its waters, according to Pliny. Our author says, that its name was changed into that of Tiber, from Tiberinus, the Alban king, who was drowned in crossing it. But Servius asserts, that the name of Tiber was older than Alba itself, and was derived from Tibris, a king of the Hetrurians, who used to infest the adjacent country, and was slain nigh to it. It is now called Tevere.

SECTION V. (a) The lupercal was a cavern dug in a rock, under mount Palatine, consecrated by Evander to the god Pan, that he might preserve their flocks. Some authors pretend, that the cave was consecrated by Romulus and Remus, because the wolf that suckled them had retired thither. It is certain, that the Romans erected there a brazen statue, representing a wolf suckling the twins. Fulvius Ursinus supposes it to be the same, which is to be seen now on the Capitol, at the palace of the Conservators.

The ceremonies observed in the celebration of this festival were these; first, two goats and a dog were sacrificed; then the foreheads of two young men of quality were stained with the bloody knife; while others wiped off the blood with locks of wool dipped in milk. The young men were always to laugh while their foreheads were thus touched. This done, the goat-skins were cut into thongs, with which the young men being armed, and covered only with a pair of drawers, ran about the city and fields, striking all they met. The married women suffered themselves to be struck by them, and believed these strokes to be helpers of conception and delivery. The lupercalia seem to have been a festival of purification, which was celebrated on the fifteenth of February, which day was anciently called *Februua*. They ran naked, because Pan is always painted so; they sacrificed a goat, because the same deity is supposed to have goat's feet. The dog was added, as a necessary companion to a shepherd. There were two colleges of the priests, who presided at these sacrifices; one whereof was for Romulus and another for Remus, to which a third was added in honour of Julius Cæsar.

(b) An inland country of the Peloponnesus, or Morea, famous for shepherds and herdsmen. Virg. Eclog. 4. It received its name from Arcas, son of Jupiter.

(c) Or Lucæus, from *λύκος*, a surname given to Pan, because he was thought to protect their flocks from the wolves. He was worshipped by the Arcadians, with the utmost devotion, and, according to Macrobius, was stiled by them *τὸν τῆς ὕλης κύριον*, lord of all material substances.

SECTION VII. (a) A large peninsula, now called the Morea: it received this name from Pelops, the son of Tantalus.

(b) He polished and civilized the Italians his neighbours, and taught them to express their thoughts by visible characters. The Greek characters were the first they used, of which there were some proofs remaining in the time of Augustus; particularly the treaty which Tarquin the Proud made with the Gabini, which was written in Greek letters, though in Latin words, on a wooden shield, covered with the skin of the ox which was sacrificed on that occasion. Dion. Hal. b. iv. p. 246.

(c) From *carmen*, a *verse*; she being a prophetess who sung her oracles in verse. The Greeks called her *Themis*.

(d) Women divinely inspired were so called, from *σὺ βυλλή*, the *will of God*. It seems rather to be a common than a proper name. There were many of them, but the most considerable were the *Persian* and *Cumean*.

(e) It stood in the ox market. In all verbal bargains, they invoked Hercules to be the voucher of their faith, in this form of words, *Me Deus fidius, So may the god of faith help me*. Some take *fidius* for *filius*, and thence *medius fidius*, q. d. *Ita me Jovis filius juvet. So may the son of Jupiter help me*.

SECTION VIII. (a) Officers who attended the kings, and afterwards the consuls, dictators, &c. They carried each a bundle of rods tied up with an axe, this for capital, those for smaller crimes.

(b) The public servants of the magistrates had the common name of *apparitores*, from the word *appareo*, because they always stood ready to execute their master's orders. The most remarkable of them were the *scribae*, a sort of public notaries, who wrote the proceedings in court. They answered in some respects to our attorneys, inasmuch as they drew up the papers and writings, which were produced before judges; *notarius* and *actuarius* signifying much the same office.

(c) A chair of state made of ivory, carved, and placed in a chariot; in it the chief magistrates of Rome used to be carried into council.

(d) A white robe reaching down to the ancles, edged with a purple lace, whence it was called *prætexta*. This robe was wore by the chief magistrates and senators on festival days, as a badge of honour. Among the other privileges, which were granted to the Sabine women, this robe was assigned their children, and forbidden to all others; but we find that it became afterwards common, and was worn by girls till their marriage, and by boys till the age of seventeen years, when they took the manly gown.

(e) After Romulus had divided all the people into three tribes, and subdivided each of these into ten *curiæ*, he formed the senate in the following manner; their body was to consist of one hundred persons, all patricians; of these he himself chose one, and ordered each of the tribes, and each of the *curiæ*, to chose three: all these together amounted to the number required; so that the senate, in its original institution, consisted of one hundred patricians, ninety-nine of whom owed their seats there to the choice of the people. See *Dissert. upon the constitution of the Roman senate*, added to *A fragm. of Polybius*, edit. London, 1742. And *Kennet's Rom. Antiq.* Part II. b. iii. chap 2. p. 101 and seqq.

SECTION IX. (a) He was called *Equestris*, because with a stroke of his trident, he is said to have raised the first horse out of the earth.

(b) As Romulus's project of carrying off the Sabine women by force had been the effect of long deliberation, he called the deity, whose worship furnished him with an opportunity of executing his design, *Consus*, i. e. the *god of counsel*, and hence the games were called *consulia*. They were likewise called, by way of eminency, the Roman or great games, and consisted chiefly in chariot and horse races. They were celebrated in the month of August, in the great Circus, and thence they were called the *ludi Circenses*, or the *games of the Circus*.

(c) It is uncertain where these cities stood. Cluverius, *Ital. Ant.* b. 2. is of opinion, that Cæcina, was on this side the Anio, four miles from Rome.



Crustumium is reckoned to have been a town of Tuscany, famous for good wine, and celebrated by Virgil, Georg. 2. for fine pears.

Autemna is said by some to have been situated between the Tiburtine and Nomentine ways.

(d) They inhabited the country lying between the Umbrians and Latines. A similitude of manners makes it probable, that they were a colony of Lacedæmonians transplanted into Italy.

Pliny, b. 3d. ch. 12. says, that they were called Sabines, ἀπὸ τῆς σίβεισθαι, from their worshipping the gods with great devotion. Festus Pompeius is of the same opinion. But Isidorus, Origen b. 9. chap 7. says, that as the Italians took their name from Italus, and the Sicanius from Sicanius, so the Sabines took theirs from Sabinius. Of this opinion is Dion. Hal. b. 2d. Silius Italicus b. 8th, says, that the founder of this nation was Sabus, and from him it took its name. Their women were eminently distinguished for their chastity, frugality, neatness, conjugal affection, and every virtue which adorns the sex. Horace, Epode 2d. Statius, b. 5th. Sylv. Martial, 1st, 62. Juv. Sat. 6, and Sat. 10. Virgil, Georg. 2d.

(e) Authors differ about the meaning of the word Thalassius. Some think it was the word given by Romulus as a signal when to begin the rape. It agreed very well with the god of the sea, whose festival they then celebrated, and therefore the poets gave him the surname of Θαλάσσιος. Varro thinks, the word Thalassio anciently signified little baskets, in which the ladies put their work. The Sabine virgins would only consent to marry the Romans, on condition, that they should be obliged only to work in wool, and therefore on their wedding day, carried little baskets to their husband's houses, to put their work in.

SECTION X. (a) Some derive this word from *ferire*, to strike, or from *φέρειον*, which signifies any machine for carriage.

(b) These spoils, which were taken by the Roman general from the general of the enemy, after killing him with his own hand, were called *opima*, as being more honourable than any other. Festus derives the word from *ops*, which signifies the earth, and the riches it produces; so that in his opinion *opima* *spolia* signifies rich spoils. Plutarch derives it from *opus*, signifying, thereby, the difficulty wherewith they were obtained.

(c) Once by Cornelius Cosmus, who killed Tolumnius king of the Veientes, in the 318th year of Rome, and after that by Claudius Marcellus, who killed Virdumaris, a king of the Germans, in the year of the city 532.

SECTION XII. (a) It is one hundred and twenty paces in compass, has mount Cælius to the east; the Aventine to the south; the Capitoline to the west; and the Forum to the north.

(b) It was called Tarpeius from Tarpeia, who betrayed it to the Sabines. It had also the name of Saturnius, in honour of Saturn who lived there, and was reputed the tutelary god of the place. It afterwards took the name of Capitoline from the head of a man found in digging for the foundations of the magnificent temple of Jupiter. It was seven furlongs in compass, and had the Palatine hill and the Forum to the east; the Tiber to the south; the level part of the city to the west; and the Quirinal hill to the north.

(c) See our author, in the beginning of the 5th section of this book.

(d) Several authors say, that this surname was given to Jupiter, because the Romans, recovering from their fright, made a stand and faced the enemy, Cicero

de finib. 3. 20. says, *When we give to Jupiter the name of Stator we mean, that the safety of all men is under his protection.* Seneca, de benef. 4. 7. says, *That Jupiter is called Stator, because all things are supported by his goodness, and not because the Roman army made a stand upon Romulus's vow.*

SECTION XIII. (a) The word *Quiris* signified in the Sabine language, both a dart and a deity armed with a javelin. This god was worshipped in Rome all Romulus's life-time; but after his death, he himself was honoured with the name of *Quirinus*, and took the place of this god.

(b) Romulus, when he numbered the citizens of Rome, divided them into three equal tribes, each of which he again divided into ten *curiæ*, or companies of an hundred men, which he subdivided into ten *decuriæ* of ten men each. The tribe was commanded by a tribune, the *curia* by an officer called *curio*, and the *decuria* by one called *decurio*.

(c) These knights first composed the Roman cavalry: Their horses were furnished by the state, till the time of Marius, when the conquered provinces supplied what horses were necessary to recruit their troops. Servius in his census, first distinguished them from the plebeians, by a gold ring which they wore on their fingers.

SECTION XIV. (a) Inhabiting a city of Latium, called *Fidenæ*, since *Castel Jubileo*.

SECTION XV. (a) A city of Tuscany, about one hundred furlongs from Rome. After many struggles for the sovereignty with Rome, and enduring a ten years siege, it was at length taken by the Romans, in the 359th year of Rome.

(b) This was the first corps of the Roman soldiery, and was chosen by the thirty *curiæ*, each of which furnished ten men. They were divided into three companies, and each company had a particular captain called *præfectus celerum*. The whole corps by a general officer, called *tribunus celerum*, whose authority was so great in Rome, that he may be said to have been the second person in the state. He had the right of assembling the people on some pressing occasions.

SECTION XVI. (a) Marlianus, b. 6. sect. 9. says it was in the *Campus Martius*.

SECTION XVIII. (a) It is now called *Correze* or *Cureze*, and was situated upon a little river of the same name, falling into the Tiber above *La Fara*. Cluverius conjectures it was built where now stands the monastery *Il vescovia di Sabina*, bishopric of Sabina.

(b) An island in the Archipelago, lying over-against Ephesus. Its compass was eighty-seven miles.

(c) Metapontus, a city of Italy, in the bay of Otranto, now *Torre di Mari*.

(d) Heraclea stood nigh the bay of Otranto.

(e) Croton was a city not far from the same bay, and remarkable for its wholesome and temperate air.

(f) There were at first only three of them established by Romulus, to whom Servius Tullius added a fourth. Their number was afterwards increased to fifteen, and formed into a college under a head. Their power was very extensive; for neither peace nor war could be made, magistrates chosen, nor laws passed, nor assemblies of the people held, till they first declared it to be agreeable to the will of the gods; and it was capital to act contrary to their decisions. They pretended to discover the will of the gods by various means;

such as the flight and chirping of birds, by thunder and lightning, by the setting of the wind, by the hunger and posture of chickens. When an augur intended to observe the heavens, he went up to a rising ground, and took the augural staff in his hand, and with it marked out the four quarters of the heavens. He then turned his face to the east, the west behind him, the south on his right, and the north on his left hand. In this position he took his omens. When the thunder was heard to the left, when the lightning came from the east, and was driven back to the same point, when it did not, on falling, make its way into the earth, but rebounded towards heaven, these were lucky omens; and the contrary signs were deemed unlucky. Ravens, owls, and crows, and such like birds, were supposed to foretel events by their croaking, shrieking, and cawing; but woodpeckers, vultures, and eagles, by their flight, from the left to the right; and from the right to the left. When they took their omens from the wind, they carefully observed whether its changes were sudden. When these signs furnished no presages, their last resort was to their chickens, which they had bred on purpose, and carried about with them. After ordering a profound silence, the cages were opened, and sometimes a handful of corn, sometimes crumbs, were thrown down before the chickens; if they did not immediately run fluttering to that meat; did not mind it, scattered it with their wings, or flew away, it was an unlucky presage: but if they ran eagerly to it; or greedily eat it, letting some grains fall on the floor, it portended the greatest good. Varro, in his fifth book *Of the Latin tongue*, has preserved to us the *effata*, or prayers, they used to pronounce while they carefully observed the different motions of the birds. *Jovius pater, si mihi es auctor, urbi populoque Romano Quiritium, hæc sane sarteque esse, uti tu nunc mihi bene sponis, beneque volueris.* The word augur is derived by some from *avium gestu*, motion of the birds; by others from *avium garritu*, the chattering of birds.

(g) It was a crooked staff without knots.

(h) For the better understanding the several kinds of auguries, it will be proper to observe the two terms *dextra*, right, and *sinister*, left, which are differently applied by the Greeks and Latines; and very often by the Latines themselves, who sometimes speak agreeably to the Grecian customs, and sometimes according to their own. The Greeks and Romans both derived the happiness of their omens from the eastern quarter. The former turned their face towards the north, and so had the east on their right; the latter turned towards the south, and so had the east on their left. See Bullinger, of auguries and auspices, b. 2d. ch. 2d.

SECTION XIX. (a) It was a square buiding all of brass, in which was a statue of Janus, with brazen gates on each side, nobly described by Virgil, *Æneid*. 7.

(b) Some imagine, that this was a mistress of Numa, and that his passion for the woods and caves proceeded from his love to her. St. Austin, from a passage in Varro's antiquities, says, that this king being skilled in hydromacy, saw several demons in the water, whom he consulted, and that his drawing of water for his magical operations, gave rise to the fiction of his having married the nymph Egeria, who took her name from the word *egerere*, to spout out.

(c) Romulus, little skilled in astronomy, had divided the year into ten months, consisting some of thirty-five, some of less than twenty days, and began it with March, which he called after the name of his father Mars. Numa corrected this irregularity, and by using intercalations, and adding two months, January and February, made it consist of three hundred and fifty-five days. The lunar

year comprehended only three hundred and fifty-four; but from a persuasion, that the gods are pleased with odd numbers, he added one day more. Having thus divided the year into twelve lunar months, he made each month consist of twenty-nine or thirty-one days, except February, which had only twenty-eight, and consecrated it to the infernal gods, who, he believed, delighted in even numbers. He likewise appointed the year to begin with January. But still it did not agree with the course of the sun, which took up eleven days more than the moon. And therefore he ordered an intercalary month of twenty-two days, which he called *Mercidinus*, to be inserted every two years, the day after the Terminalia, a festival in honour of the god Terminus, which began on the twenty-second of February. Besides, as the solar year consisted of three hundred and sixty-five days six hours, and these six hours in four years made a whole day; he appointed the month *Mercidinus* to consist, after every four years, of twenty-three days. See *Rollin's Rom. Hist.* in the reign of Numa. Kennet, *Rom. Antiq.* part 2. book 2. chap. ix. p. 86, 87, 88, and *Rom. History*, by N. Hooke, Esq; edit. London 4to. 1738, book 1. chap. iii. p. 61, 62.

(d) As to the number of years, in the text of our author, necessary to reduce the year to a just point with the solar, we have followed the most vulgar reading. The curious may satisfy themselves by consulting the annotations of Antony Sabellicus, Glareanus, who followed Macrobius, and the Scholia of Carolus Sigonius, who have endeavoured to clear up, in different ways, the obscurity in Numa's regulation of the calendar.

(e) The Roman days were divided into three orders, to wit, *dies festi, festivals; profesti, working days*, and *intercisi, half the one and half the other*. The first were dedicated to the service of the gods; the second allotted for the common affairs of life; the third were divided between sacred and ordinary employments. The *dies fasti* were the same as our court days; upon which it was lawful for the prætor to sit in judgment, and to pronounce the three solemn words, *Do, dico, addico, I give laws, declare right, adjudge losses*. These were called lucky days, and all the others, except the *intercisi*, were called *dies nefasti, unlucky days*, upon which it was not lawful to offer sacrifices, administer justice, hold assemblies of the people, or begin any new expedition.

SECTION XX. (a) As Jupiter was chief of the gods, so this flamen took place of all others. He could not accept of any civil employment, and was forbid to ride on horseback, or to look upon an army in battalia. It was unlawful for him to take an oath, and his word alone was sufficient testimony. It was deemed a great crime in him to be absent one night from Rome, or to touch a dead body. He was generally of a patrician family, and had large privileges annexed to his office: he wore a hollow ring on his finger, and none but a freeman could cut his hair. The superstitious regard they had for him was so extravagant, that they were even by law commanded to bury the parings of his nails, and the cuttings of his hair, under a happy tree. The flamines, of which he was chief, were chosen by the people, and consecrated by the pontifex maximus. They were confined to the service of one god, whose name they bore: they could bear no other priestly office, and could only be deposed for very enormous crimes: it was unlawful for them to appear in public, or offer sacrifice uncovered. Their wives partook of the priesthood, and assisted at the sacrifices. They could not be divorced, and lost their priesthood upon the death of their wives. They were assisted in the sacrifices by boys and girls, intrusted to their care, and whose fathers and mothers were living. Some ima-

gine they were called *flamens* from the flame coloured tufts upon their caps; but Plutarch says, they were first called *pilamines*, from *pileus* a cap, which they wore, and that *flamines* is only a corruption of *pilamines*.

(b) The *Flamen Martialis* held the second rank after the *Flamen Dialis*. During the first ages of Rome he was not allowed to go out of Italy.

(c) The *Flamen Quirinalis* was next to the *Flamen Martialis*, and was under the same restrictions.

(d) These virgins were dedicated to the service of the goddess *Vesta*, who some think represented the whole world, though the vulgar worshipped her as the goddess of the earth and of fire. In allusion to this, Numa built her a round temple, in which form the temples of this goddess are represented on medals. These virgins were at first but four in number, to which Tarquin the Elder added two more. They were chosen by lot from six to ten years of age, and none above that were admitted. They were obliged to preserve their virginity for thirty years, the first ten of which was spent in learning religious ceremonies; the second ten was employed in the performance of them; and the last in instructing the younger vestals. After this time passed in strict continence they were allowed to marry. They had very great privileges, being always attended in public by a lictor, and if they happened to meet a criminal going to execution, they could pardon him; provided they could swear, that their meeting was accidental. As soon as they were admitted into that sacred office, they were mistresses of their fortune, and could make their wills, even while their parents were alive. On the other hand, the punishment of their faults was very severe; but especially of their incontinency. She, who was so unhappy, was closely wrapt up in her clothes, and carried in a litter across the forum, through the gate Collina, preceded by her relations in tears, till they came to a pit dug in the ground, in a place without the city wall, allotted for that peculiar use, and thence called *Campus sceleratus*, or the wicked field. Into this pit she was let down alive, and covered with earth. Some say they were burnt, others that they were stoned. The man, who had criminal commerce with her, was whipped to death. It was reckoned a very unhappy omen, to let the sacred fire go out, for which neglect they were whipped by the pontifex maximus through a vail. The fire was rekindled, either by rubbing two pieces of wood together, or by the rays of the sun.

(e) They were so called from *Salus*, who was chief of a band of musicians, whom Evander brought with him out of Arcadia into Italy; or a *saliendo*, from their dancing. Their business at first was singing at the sacrifices: Italy being infested with a severe plague, Numa took that opportunity of reviving the order. He made the Romans believe, that a shield of uncommon make fell from heaven; and that he was informed by his goddess Egeria, that the prosperity of the city depended on the preservation of it. Therefore to prevent its being stolen, he caused eleven more exactly like it to be made, and hung them all up in the temple of Mars, and twelve young Romans of good families were appointed to keep them, to whom he gave the name of *Salii*. They composed a college, consisting of the same number of men with the shields they kept. The three seniors governed the rest, of whom the first was called *præsul*, the second *vates*, and the third *magister*. The descent of this shield was yearly celebrated by them on the first of March, when they came out of the temple in procession, carrying each one of these shields on his left arm, and a javelin in his right hand. In this procession they sometimes sung, and

sometimes danced. None could be admitted into their order but natives of Italy, free-born, and whose fathers and mothers were alive. After the solemnity, they were regaled at great expence.

(f) This surname, according to Festus, was given to Mars *a gradiendo*, because it is common to advance to battle with a slow and regular pace; or from the brandishing of a spear, which the Greeks call *κραδαίνειν*.

(g) These shields were made in an oval form, with several folds or plaits closing one over another. They exactly fitted the elbow by their figure, and from that were called *ancilia*, from *ἄγκυλη*, a *crooked javelin*; or from *ἄγκων*, the *cubit*, that part of the arm between the wrist and the elbow, upon which they were carried. See note on *Salii*, p. 9.

(h) The pontifex maximus was always chosen by the people, and generally taken from amongst the other pontifices. His office was reckoned one of the most honourable in the commonwealth. The word *pontifex* is commonly derived from *pons* and *facere*; because the care of repairing the bridges was committed to them, and the most solemn sacrifices offered upon them. But Plutarch finds fault with this etymology of the word. He says it was used in Rome before there were any bridges, and derives it from the word *potnis*, which signifies *powerful*. Others derive it from *potis*, *able*, and *facere* to *sacrifice*. For about four hundred and fifty years after the building of the city, there were only four pontifices chosen out of the patricians. But the people being desirous to share that honour, four other plebeians were added: Sylla added seven more. The first eight were called superiors, and the rest inferiors. The office of the pontifex was to give judgment in all religious causes; to enquire into the lives and manners of the inferior priests, and punish them if he saw occasion; to prescribe rules for public worship; to regulate the feasts and sacrifices, and all other sacred institutions. Festus calls the pontifex maximus, *Judex atque arbiter rerum humanarum divinarumque*, *Judge and arbitrator of human and divine affairs*.

(i) This surname was given to Jupiter *ab eliciendis fulminibus*, *giving omens by thunder*.

(k) Various have been the disputes among critics about the derivation of the name of this hill. Some will have it to have been called *Aventinus* from an Alban king of that name; others from the river *Arens* in Sabinia; and some *ab avibus*, from the birds which constantly repaired thither in great flocks. It was two miles and a quarter in circuit, and had the city wall to the east; the Campus Figulinus to the south; the Tyber to the west; and mount Palatine to the north.

SECTION XXI. (a) Dionysius Halicarn. book 2d, admires no part of Numa's management so much, as this scheme to make the Romans honest, by turning *Bona fides*, *Good faith*, into a goddess, and appointing her divine worship. It was an invention entirely new, and contributed exceedingly to make the republic faithful to her treaties, and citizens to their contracts with one another. So strict was their regard to truth, that the judges often determined doubtful causes by the bare affirmation of the defendant.

(b) All the places for performing religious services at Rome were called *Argei* from *Argivi*, Grecians.

SECTION XXIV. (a) Varro derives the name from *fides*, because they had the care of the public faith in leagues and covenants. Others derive it a *facere faciendo*, *making treaties*. Their original in Italy was very ancient. Dionys.

Halicar. finds them among the aborigines, under the name of *σπονδοφόροι*, *carriers of the libations*. Numa first instituted the order at Rome, consisting of twenty persons, chosen out of the noblest families in the city. They were ranked among the officers of religion, to procure them the greater respect. They were arbitrators of all the controversies relating to peace and war; nor was it lawful on any account to take up arms, till they had declared all expedients that might bring about an accommodation to be insufficient. The ceremonies used by them in denouncing war, and confirming former treaties after satisfaction given, are fully related by our author. Cicero likewise mentions a law which shews in a few words the function of the *Feciales*: *Fœderum, pacis, belli, induciarum, oratores, feciales iudices duo sunt, bellaque disceptant*. Aul. Gell. says, when the *Fecialis* threw the bloody javelin into an enemy's country, that he pronounced the following form of words: *The Hermondulian* (a word of no determinate signification, but applied to all nations) *people, and those of this country, have offered violence to the Roman people, who for that reason declare war against them*.

(b) Rosinus says, that this officer was the constant governor of the *Feciales*, book 9d, sect. 21. Fenestella makes him a distinct officer, sect. 6, *Of the Roman priests*. Pomponius Lætus, and Polydore Virgil, say, that he was chose by one of the *Feciales*, out of their own college, on extraordinary occasions, which opinion is supported by our author in this place. The person intrusted with this office behoved to be one, who had a father and children both alive, and from hence the name of *pater patratus* signifies a *father in reality*, or a *more perfect sort of father*, for such was he thought to be, whose father was alive, after he himself was father of several children. Plutarch says, it was a political contrivance of Numa, who wisely judged, that one who had a father and children alive would be more faithful to his country, and steadily promote its true interest.

SECTION XXVI. (a) It was so called because the Appian road to *Capua* lay through it. It now bears the name of *Porto di S. Sebastiana*.

(b) *Duumviri perduellionis*, or *capitales*, were officers created for judging traitors. They were first appointed by Tullius Hostilius on this occasion; and continued, as often as necessity required, during the regal government, and some time under the consular, at its first institution. But afterwards they were laid aside many years as a grievance. Cicero, in the decline of the commonwealth, complains, in an oration for C. Rabirius, who was accused of treason, of their revival by Labienus, tribune of the people.

(c) A square pillar built of stone.

(d) See sect 44. of this book.

(e) This humbling ceremony was required by the Romans of those enemies who surrendered their arms, and submitted to the power of the conquerors. After which they had the liberty of returning to their own country. The king's design in forcing the young Horatius to submit to this ignominy was to make the criminal sensible, that, according to the custom of the Romans, he deserved the fate and punishment of a slave. After a criminal was once declared guilty of high treason, and an enemy to his country, his name was struck out of the number of citizens, and he was looked on as a slave delivered to the rigour of the laws. This was their mode of proceeding against the citizens who had betrayed the interests of their country.

(f) The sister's rafters.

SECTION XXVII. (a) A remarkably fine river in Italy, arising out of the mountains of Trebia; it waters the country of Tibur, and falling from a precipice with prodigious force, forms a cataract, and after gliding through the vallies, empties itself into the Tiber. It is now called Teverone.

SECTION XXVIII. (a) The word *sacrificium* more properly signifies the thing offered, than the action of offering. The two common words to express the former, were *victima* and *bestia*; which though they are very often confounded, yet by the first word is properly meant the greater sort of sacrifices, by the other the less.

There were some standing rules and ceremonies to be observed in all sacrifices.

The priest (and sometimes the person that gave the victim) went before in a white garment, free from spots and figures: for Cicero tells us, that white is the most acceptable colour to the gods; I suppose, because it seems to denote purity and innocence.

The beast to be sacrificed, if it was of a larger sort, used to be marked on the horns with gold; if of the lesser sort, it was crowned with the leaves of that tree which that deity was thought most to delight in, for whom the sacrifice was designed. And besides these, they wore the *infulæ* and *vittæ*, a sort of white fillets, about their head.

Before the procession went a public crier, proclaiming *hoc age* to the people, to give them notice that they should forbear working, and attend at the solemnity. The pipers and harpers too were the fore-runners of the show; and what time they could spare from their instruments, was spent in assisting the crier to admonish the people. The sacrifice being brought to the altar, the priest took hold of the halter with one hand, and ushered in the solemnity with a prayer to all the gods; mentioning Janus and Vesta always first and last, as if through them they had access to the rest. During the prayer, some public officer was to command the strictest silence, for which the common expression was, *Fa-cete linguis*, a phrase used by Horace, lib. 3, ode 1. Juvenal, sat. 12. Tibullus, lib. 2, eleg. 1, &c. And the piper played all the while to hinder the hearing of any unlucky noise. After his prayer, the priest began the sacrifice with what they called *immolatio*, the throwing some sort of corn and frankincense, together with the *mola*, i. e. bran or meal mixed with salt, upon the head of the beast. In the next place, he sprinkled wine between the horns; a custom very often taken notice of by the poets. Virgil, *Æn.* iv. 60. Ovid, *Fast.* 1.

But before he poured the wine on the beast, he put the plate to his own mouth, and just touched it with his lips, giving it to those that stood near him to do the like. This they termed *libatio*.

In the next place he plucked off some of the roughest hairs, growing between the horns of the beast, and threw them into the fire, as the *prima libamina*. *Æn.* vi. 246.

And now turning himself to the east, he only made a sort of crooked line with his knife, from the forehead to the tail; and then delivered the beast to the public servants to kill. We find these inferior officers under the several names of *popæ*, *agones*, *cultrarii*, and *victimarii*; their business, besides the killing of the beast, was to take off his skin, to bowel him, and wash the whole body. Then the *haruspex's* duty came in place, to search the entrails for good or bad omens. When this was over, the priest had nothing else to do but to lay what parts they thought fittest for the gods upon the altar, and to go and



regale themselves upon the rest. See Alex. ab Alex. lib. 4. cap. 17.—The lustral or purging sacrifice consisted of a sow, a sheep, and a bull.

SECTION XXX. (a) One of the seven hills of Rome, which according to Suetonius, the emperor Tiberius ordered by an edict to be called *Augustus*. Varro de L. L. book 4, says it was called the *Tuscan village*. Tacitus says it was called *Quercetulanus*, from a grove of oaks that grew on it. The Tuscans anciently called it *Mastarna*.

(b) *Feronia, a ferendis arboribus*, a goddess of the groves. The tradition is, that when her grove on the mountain Soracte, now *Monte Sansylvestro*, was burnt down, the people carried her picture to the place, and immediately the wood grew up again. Servius says, she was a nymph of Campania. He makes her also the goddess of freemen, in whose temple, after shaving their heads, they put on their caps, the badge of their liberty. According to Strabo, persons inspired by her could walk barefooted over burning coals without being hurt.

(c) It is plain it is so called, because it served as a retreat for robbers.

SECTION XXXI. (a) The haruspices had their name *ab aris aspicendis*, from looking upon the altars; as *ab extis inspiciendis*, looking upon the entrails, they were called *extispices*. They came first from Etruria, where the art was most in credit. The Tuscans are said to have learned the whole mysteries belonging to this art, from a boy, whom they ploughed out of the ground. Cicero, de divin. b. 2. Afterwards twelve young noblemen of Rome were sent thither to be instructed in the science, which consisted in fore-telling future events, by attending to the circumstances of victims. They took their observations from four appearances. First from the beasts before they were cut up. In this case it was reckoned an ill omen, if the beast would not come to the altar without dragging, when it broke its rope, ran away, avoided the stroke, struggled much after it, made a great bellowing, was long in dying, or bled but little. Secondly from the entrails of the beasts after they were cut up. In this, most regard was had to the tongue, the heart, liver, spleen, lungs, and the reins. If all these were sound; if the top of the liver was large and well made, and if its fibres were strong, it was presumed the enterprise would be successful. If, on the contrary, they were livid and unsound, it foreboded some fatal event. A double liver, a little or lean heart, were always unlucky. But nothing occasioned so much surprise and fear as when the heart or some of the noble parts were not to be found in the victim, which often happened through the avarice of the priests, who conveyed them away designedly. They found their account in sporting thus with the superstition of the people, since by that means, they often obtained a second victim, to supply the defects of the first. Thirdly, they drew their knowledge from the manner in which the fire consumed the victim. If the flame brightened immediately, was pure and clear, rose up in a pyramid without noise, and did not go out till the victim was consumed; these were happy signs. Fourthly, they likewise considered the smoke: whether it curled, or spread itself to the right or left, or gave a smell different from the common one of broiled meat. In the meal, frankincense, wine, and water used by them on these occasions, they observed whether they had their proper taste, colour, &c. and gave an agreeable smell.—The flesh of the victim was boiled in a caldron, with the wood of some tree consecrated to some deity; for which reason Virgil and Ovid call the fires, which boiled the entrails of the victims, *sanctos ignes & pium ignem*, sacred and pious fires. When it was

dressed: it was served up in dishes to the gods, by being placed upon their altars. Virg. *Æn.* 12. The haruspices were not entirely confined to altars and sacrifices, but had an equal right to the explaining all sorts of prodigia. They were often consulted by the senate on extraordinary occasions, and if those at Rome laboured under a bad character, others were sent for from *Hetruria*. Their college had their particular registers and records, as well as those of other religious orders.

SECTION XXXII. (b) A people inhabiting the hills above Tiber.

SECTION XXXIII. (a) It is difficult to determine exactly where *Politorium* stood. It was in *Latium*, and commonly reckoned to have been fourteen or fifteen miles south-east from Rome.

(b) These two cities are conjectured to have stood at a little distance from each other, above *Lavinium*, towards the mouth of the Tiber.

(c) The goddess of sloth, who made men idle and lazy. Her temple stood at the goal of the circus, or horserace, whence the place was called *Meta Murcia*.

(d) One of the seven hills of Rome, now called *Montono*. From it is had the fullest prospect of the city. It has the Tiber to the east and south; the fields to the west, and the Vatican to the north.

(e) The words *pons sublicius* signify a bridge of wood; but *sublicius* may likewise be the proper name of this bridge, and so they may be translated the bridge *sublicius*. *Sublicius* is derived from *licio*, to join. The pontifices first, and afterwards the quæstors, had the care of supporting and repairing this bridge. Plutarch tells us, that the quæstor *Æmilius* built a stone bridge instead of this wooden one, about the year of Rome 747.

(f) A wood of Tuscany, now called *Bosco di Montano*, towards the river *Cremena*, not far from *Ostia*.

(g) The ruins of this city lie above new *Ostia*. It was founded on the left bank of the Tiber, in the elbow which the sea makes at the mouth of that river. *Dionys. Hal.* gives a noble description of the port belonging to it; but *Strabo*, b. 5, says it was a very sorry one. The Latin word *ostium* signifies a door or entrance, and this town was probably called *Ostia*, because it stood at the entrance of the port.

SECTION XXXIV. (a) A town of *Hetruria* built by *Tarcon*, who is said to have assisted *Æneas* against *Turnus*, and from him it got the name of *Tarcona*. It is now called *Tarqueno*, and is in the patrimony of *St. Peter*, in the duchy of *Castro*. Its ruins are yet to be seen, a mile above *Corneto*.

(b) From *egere*, to be in want.

SECTION XXXV. (a) They were so called because they were chosen out of plebeian families. But this name was never authorized by any public act: they had the same authority as other senators, and their children were deemed patricians.

(b) It is conjectured, that *Appiolæ* was situated near the *Anio*, in the neighbourhood of *Crustumium* and *Corniculum*, upon the confines of *Latium* and *Sabinia*. This city was entirely destroyed, and there are now no traces of it remaining.

(c) This circus had four fronts; one at the bottom of it, where the posts stood, round which the chariots were obliged to turn; one at the opposite end, where they started, and one at each side, where the spectators sat in two great galleries. It is certain, that at least that front, where the turning posts stood,

described part of a circle; and it is probable, that the opposite front, from which the chariots started, was semicircular. Dionys. Hal. says, that this circus was three stadia and an half long, and four jugera broad, and that one hundred and fifty thousand men could sit in it at their ease. According to Pliny, a stadium contained six hundred and twenty-five Roman feet, each of which contained twelve inches or sixteen fingers' breadth, consequently it must have been two thousand one hundred and eighty-seven Roman feet long. The jugerum contained two hundred and forty Roman feet, so that it was nine hundred and forty Roman feet broad. It stood in the Myrtian valley, and reached from the Aventine to the Palatine hill.

SECTION XXXVI. (a) If we may judge of Navius by his statue, which was of a lesser size than ordinary, he was but small of stature. It appears by the medals, that the augurs were always represented with one of the lappets of their robe thrown over their heads like a cowl, when in the performance of their office.

(b) It is so called *a coeundo quasi comeundo*, because the people assembled in that place. It was a part of the forum of Rome, at the foot of mount Palatine, over-against the capitol.

(c) Some authors say the stone was buried in the comitium, near the place where justice was administered, and above it was erected an altar, on which men were sworn, by touching it with their hands. The form of the oath was this, *Si ego te*, calling Jupiter to witness, *sciens fullo, ita me dies piter bonis, salva urbe & arce, ut ego hunc lapidem*, and then let drop a stone which they had in their hands.

SECTION XXXVII. (a) Part of the Sabine army was posted on one bank of the river, and part on the other, and had a communication by a bridge of boats.

SECTION XXXVIII. (a) This city stood on the confines of Latium and Sabina, between the Prænestine way, and the left bank of the Anio, six miles from Rome.

(b) Most geographers place Corniculum between the Tiber and the Anio, half-way from Tibur to Fidenæ. Holstenius thiinks it stood where now stands the little town of St. Angelo, near Torre Vergata, two miles from the *Montes Corniculani*, mentioned by Dionys. Hal. b. 1, which Kircher thinks were the mounts St. Angelo and Monticelli.

Ficulnea was a town of Latium.

Cameria stood not far from Rome, and is conjectured to have been in the neighbourhood of Cenina, near the river Anio. Holstenius says, it was beyond this river near Palombara.

Crustumium was a town belonging to the Sabines. It is now called *Palombara*, or *Monte Rotondo*.

There is no trace left of Ameriola.

Medullia stood at a small distance from Rome and the Anio. But there remain at this time no marks of its ancient situation.

Nomentum was one of the most considerable cities of Sabinia, near the Salarian way and the banks of the river *Allia*, not far from the waters which are at this time called *i bagni della Grotta Marrozza*, ten miles from Rome. It is now only a village bearing the name of *Lomentano*.

(c) The Roman forums were public buildings, about three times as long as they were broad. They were surrounded with arched porticoes, only some passages were left for places of entrance. They were of two sorts, *fora civilia*

and *fora venalia*. The first were designed for the ornament of the city, and for the public courts of justice; the others were intended for no other end but the necessities and conveniences of the inhabitants, and answered to our markets. In this place is meant the *forum Romanum*, which belonged to the former sort. Tarquin the elder adorned it with porticoes, temples, and shops for tradesmen on all sides. It was so called because of its antiquity, and of the most frequent use of it in public affairs. Mart. and Stat. call it *forum Latium*: Ovid gives it the same name, and likewise that of *forum magnum*. Herodian calls it τὴν ἀρχαίαν ἀγορὰν, *forum vetus*. It reached from the capitol to mount Palatine.

(d) All the arches of these sewers were built with hard stone: and no expence was spared to make the work durable. Their height and breadth were so considerable, that a cart loaded with hay could easily pass through them under ground. But the greatest difficulty of the work was to convey the waters, which through these sewers were to carry off the filth into the Tiber. It was necessary to cut through rocks under the city, a channel large enough for a navigable stream, and covered with arches strong enough to bear the weight of houses, which were often built upon them, and stood as firm as on the most solid foundations. We may judge of the expence of this prodigious work, from the sum which the censors gave to him who undertook to clean the sewers, which was a thousand talents. This last sum, according to Dr. Arbuthnot's computation of the Attic talent, amounts to 193,750*l.* sterl.

SECTION XL. See preceding section, and book 4, sect. 3.

SECTION XLI. (a) It is thought it stood in the circus Flaminius near the temples of Mars, Vulcan, and Bellona.

(b) According to Dion. Hal. and other ancient authors, the *trabea* was very like the *toga*, with this difference, that it was adorned with stripes of purple, at due distances, on a white ground. This was the ordinary habit of the kings of Rome. And the chief magistrates of the republic, and the Roman knights appeared in it on certain festival days.

(c) Now called Cisterna-Pontina.

SECTION XLII. (a) From *censere*, to rate or value.

SECTION (a) 322*l.* 18*s.* 4*d.* Arbuthnot.

(b) The galea was a head-piece, or morion, coming down to the shoulders, commonly of brass.

(c) This kind of shield was less than the scutum, and quite round. It belonged more properly to other nations, though for some little time it was used by the Romans.

(d) They were worn on the legs, and seem to have been borrowed, as many other customs, from the Grecians, so well known by the title of εἰχνημίδες Ἀχαιοί, *well booted Greeks*.

(e) This coat of mail, or brigandine, was generally made of leather, and worked over with little hooks of iron; and sometimes adorned with small scales of thin gold. Sometimes the *loricae* were a sort of linen cassocks, such as Suetonius attributes to Galba, like that of Alexander and Plutarch, or those of the Spanish troops, described by Polybius, in his account of the battle of Cannæ.

(f) It was a light kind of javelin.

(g) The Roman soldiers commonly wore their swords on the right side, that it might not hinder their shields; though they are often represented otherwise in ancient monuments. They deemed Spanish swords fittest for execution, and of the best shape and temper, they being something like the Turkish scymitars, but sharper at the point.

(h) 242l. 3s. 9d. Arbuthnot.

(i) The scutum was a buckler of wood, the parts whereof were little plates of iron, and the whole covered with a bull's hide. It was surrounded with a plate of iron on the outside to keep off blows, and with another within, to hinder it from taking any damage by lying on the ground. In the middle was an iron boss, or *umbo*, jutting out, very serviceable to glance off stones and darts, and sometimes to press violently on the enemy, and drive all before them. The scuta themselves were of two kinds, the *ovata* and *imbricata*. The former of a plain oval figure; the other of an oblong, and bending inward like half a cylinder. Polybius makes the scuta four feet long, and Plutarch calls them *ποδήρεις*, reaching down to the feet. And it is very probable, that they covered almost the whole body, since our author, book 44, mentions soldiers, who stood on guard, sometimes sleeping with their heads laid on their shields with the other end fixed on the earth.

(k) 161l. 9s. 2d. Arbuthnot.

(l) 80l. 14s. 7d. Idem.

(m) The *verutum*, according to Polybius, was a sort of javelin three cubits long. It was square, and pretty much like a spit. Its name is derived from *veru*, a spit.

(n) It is uncertain who were comprehended under that name, and what their office was. According to Sextus Pompeius, they were men who were always ready to supply the vacant places in any of the centuries, and were a sort of recruits, consisting of such persons as were ambitious of being incorporated into one or other of the classes. But according to Varro, the word *accensi* signifies men chosen out to be aides-de-camp to the generals and tribunes, to carry their orders to inferior officers.

(o) 35l. 10s. 5d. Arbuthnot.

(p) 32l. 5s. 10d. Idem.

(q) 6l. 9s. 2d. Idem.

SECTION. XLIV. (a) *A luendo*, from *paying, expiating, clearing*, or perhaps from the goddess *Lua*, so named from the verb *luo*, to whom Servius is said to have built a temple. She was invoked in all expiations, and when people made up their accounts, and paid their debts.

Because of the continual change of men's estates, it was ordered that the census should be renewed every five years, and as it was usually closed by the *Iustrum*, hence this word came to signify that term of years.

(b) *Collis Quirinalis* was so called either from the temple of Quirinus, another name of Romulus; or more probably from the Curetes, a people that removed hither with Tatius from Cures, a Sabine city. It afterwards changed its name to *Caballus*, *Mons Caballi*, and *Caballinus*, from the two marble-horses, with each a man holding him, which are set up here. They are still standing; and if the inscription on the pilasters be true, were the work of Phidias and Praxiteles; made by those famous masters to represent Alexander the Great, and his Bucephalus, and sent to Nero for a present by Tiridates king of Armenia. This hill was added to the city by Numa. To the east, it has

Mons Esquilinus, and Mons Viminalis; to the south, the forum of Cæsar and Nerva; to the west, the level part of the city; to the north, Collis Hortulorum, and the Campus Martius. In compass almost three miles.

(c) Mons Viminalis derives its name from the osiers that grew there in great plenty. This hill was taken in by Servius Tullius. To the east, it has the Campus Esquilinus; and to the south, part of the Suburra and the Forum; to the west, Mons Quirinalis; to the north, the Vullia Quirinalis. In compass two miles and a half.

(d) Mons Esquilinus was anciently called Cispius, and Oppius: the name of Esquilinus was varied, for the easier pronunciation, from Exquilinus, a corruption of *Excubinus*, *ab Excubiis*, from the watch that Romulus kept here. It was taken in by Servius Tullius, who had here his royal seat. Varro will have the Esquilinæ to be properly two mountains; which opinion has been since approved of by a curious observer. To the east, it has the city-walls; to the south, the Via Labicana; to the west, the valley lying between Mons Cælius and Mons Palatinus; to the north, Collis Viminalis. In compass about four miles.

(e) Though the phrase of *Pomærium proferre* be commonly used in authors to signify the enlarging of the city, yet it is certain the city might be enlarged without that ceremony. For Tacitus and Gellius declare no person to have had a right of extending the Pomærium, but such a one as had taken away some part of an enemy's country in war; whereas it is manifest, that several great men, who never obtained that honour, increased the buildings with considerable additions.

It is remarkable, that the same ceremony with which the foundations of their cities were at first laid, they used too in destroying and razing places taken from the enemy; which we find was begun by the chief commander's turning up some of the walls with a plough.

SECTION XLV. (a) A city of Ionia, formerly the most famous mart of the Lesser Asia. Justin says, b. 2, that it was built by the Amazons. It was particularly famous for the temple of Diana, whom they had in the highest esteem, as appears from the sixth chap. of the Acts of the Apostles. It is now called Figena or Efeso.

SECTION XLVII. (a) A famous and rich city of Achaia, situated in the middle of the isthmus of the Peloponnesus, now the Morea. As it stood between the Ionian and Aegean seas, it was called *Bimaris Corinthus*. Its prodigious wealth made it to be suspected by the Romans, who sent ambassadors thither, whom the Corinthians insulted in a most shameful manner. On this the Romans sent L. Mummius with an army against it, who burnt and razed it, in the year of the world 3840, and of Rome 608. In the burning of it, so many rich and costly statues, of sundry sorts of metal, were melted, that thereof was afterwards formed a kind of precious metal, called Corinthian brass, more esteemed than silver among the Romans. Julius Cæsar afterwards rebuilt it, and called it by its former name. It was once famous for the profession of Christianity, as appears from St. Paul's Epistles. It fell into the hands of the Turks, under Mahomet the second, in the year of Christ 1458, and is now called Coranto, but by them Gereme.

SECTION XLVIII. (a) According to Varro, the word *Cyprius* signified in the old Sabine language, *good* or *happy*.

(b) *The cursed street.*

SECT. L. (a) It was in Latium, near Monte Albano, in the same place where Marino now stands, a little town in the Ecclesiastical State. The ruins of several ancient monuments testify its former grandeur. At this place, after the demolition of Alba, the Latines held their general diets, when they were to deliberate on the interests of their nation. Here stood a temple of Flora, in a grove. It was watered by a rivulet, which gave Ferentinum the name of *caput aqua Ferentina*.

(b) This town lay ten miles from Rome, and received this name from Aricia wife of Hippolytus, son of Theseus and Hippolyte, queen of the Amazons, who, to shun his father's indignation, raised against him by his stepmother Phædra, because he would not lye with her, came and settled in Italy, and built this city, which is now called Rizzo or Riccia.

SECTION LII. (a) A company consisted originally of an hundred, afterwards of two hundred, and in the decline of the empire of less than an hundred men, The ensigns of Romulus's men, when he attacked Amulius, are said to have been bundles of hay fastened to poles, which the Latines at that time called *manipuli*, and thence came the name of *manipulares*, which was originally given to troops raised in the country.

(b) In the earliest times of Rome none but Romans could be incorporated in the legions. But Tarquin was too odious to his subjects to observe that ancient custom. He did not raise his army upon the footing of Servius's division of the Roman soldiery by centuries; nor were the allies any longer a separate corps. For at this general rendezvous he incorporated the Latines and Romans in the same centuries, which were thereby composed half of one nation and half of the other, and appointed such centurions over them as he thought proper. This was a master-piece of policy, and contributed more to the conquest of the world, than all the rest of Italy; for it was afterwards the best part of the Roman strength.

(c) So called from *centum*, because he had the command of an hundred, or rather an hundred and ten men, the ten *decurios* included, each of which commanded ten men. The number of centurions in the Roman legion was always in proportion to the number of centuries of which it consisted. The *centurio primi pili* was a man of authority and distinction among them: he was always at the head of the first cohort, and commanded four centuries. The other centurions received their orders from him.

SECTION LIII (a) Pighius, in order to reconcile the difference between Dionys. Hal. and our author, changed the text of Livy, from *quadraginta talenta* to *quadringenta*. Forty talents, reckoning according to Arbuthnot, amount to 7,750*l.* sterling, and four hundred amount to 77,500*l.*

(b) A town of Latium, belonging to the Volsci, about an hundred furlongs from Rome, in the way to Præneste, in the place where the town of Colonna afterwards stood.

(c) The capitol, or temple of Jupiter Capitolinus was vowed by Tarquin the Elder in the Sabine war, as we have seen, chap. 38. But he had scarce laid the foundation of it before his death. Tarquin the Proud finished it with the spoils taken from Suessa Pometia, and the neighbouring nations. After his banishment, it was consecrated by Horatius the consul. See b. 2, s. 8. It is said to have been called the capitol from a man's head, which the workmen found in digging the foundation; and as the diviners declared that it presaged Rome would become the mistress of the world, the king spared no cost in rais-

ing a structure to the honour of those gods who were the authors of so glorious a destiny. It stood on a hill first called Saturnius, and afterwards Tarpeius. The temple was almost square, being about two hundred and fifteen feet long, and about two hundred feet broad. Its front was to the south, facing mount Palatine and the Roman forum. The ascent to it was by an hundred steps, which were divided at certain distances, by large half-paces or resting-places, to give those who went up to it time to breathe. The front was adorned with three rows of pillars, and the two sides of the temple were adorned with a *peristyle*, consisting of a double row of pillars. The prodigious gifts and ornaments with which it was afterwards adorned are almost incredible. It was first consumed by fire in the civil war between *Marius* and *Sylla*, the latter of whom rebuilt it, but dying before the dedication, left that honour to *Q. Catullus*. It was burnt down a second time in the Vitellian sedition. *Vespasian* undertook a third temple, which was destroyed about the time of his death. *Domitian's* son built the last, which was by far the most magnificent of all; the gilding of which, within and without, *Plutarch* says, amounted to twelve thousand talents, or three hundred and twenty-five thousand pounds sterling. It contained three chapels, one dedicated to *Jupiter*, another to *Juno*, and the third to *Minerva*, or was rather three temples under the same roof. There only remains enough of it at present to make a Christian church.

(d) They inhabited a part of the present Campagna di Roma.

SECTION LVI. (a) The reasons which determined the Romans to send out colonies, and the privileges which they enjoyed, were these.—They never sent out their citizens to found colonies, but either to enlarge their limits, or to awe some nations that were yet unsubdued, or to disburthen their city of too great a number of inhabitants, or to get rid of a multitude inclined to be seditious, or to reward the veteran soldiers of the Roman legions, who had served out their legal time, that after spending the vigour of their life in the service of their country, they might be rewarded with large possessions, and thereby be enabled to pass the remainder of their life in ease and plenty. To those who were sent from Rome, a certain quantity of land was always assigned, according to their number, in the place where they were to settle, which was to be their own property. They generally transplanted none, but such as had neither land nor houses either in the city or country. They marched to their new habitations in order of battle, where they either built themselves a city, or took possession of one already built for them. Here they lived according to the Roman laws, and though mingled with the natives who had been left in the conquered place, had all the power and authority in their hands. But immediately upon their being sent out, they lost their right of voting in the *comitia*. Nor could they be candidates for any office at Rome, unless they were again made citizens.

(b) A city in Latium. Here there was made a rough kind of wine, which *Pliny*, *Strabo*, &c. say was prescribed as an excellent remedy in all kinds of fevers.

(c) A promontory on the shore of the *Tyrrhene* sea; now *Monte Circeo*, where the famous *Circe* is said to have had her palace.

(d) A city of Phocis in Greece situate on the hill *Parnassus*, famous for the oracle of *Apollo*, which the Greeks, and even the most distant nations, consulted on all important occasions. Our author, b. 38, calls it the navel of the world. This, they say, was found out by *Jupiter's* sending out two eagles, to fly the one from the east, and the other from the west, who met at this place. It is now called *Delfo*, *Sabona* and *Castri*.



SECTION LIX. (a) The prefect of the city, before the end of the consular state, was only created occasionally, when the kings or greater officers were absent, to administer justice in their room. But Augustus made this a constant office, and conferred it first upon his favourite Mæcenæ. In this capacity he preceded all other city magistrates, having power to receive appeals from inferior courts, and to decide in all causes within the limits of the city, or an hundred miles round.

SECTION LX. (a) There are several derivations of the word: Pomponius the Civilian contends, that it comes from *consulere*, signifying, to watch for the public good. Varro and Cicero derive it from the same word *consulere*, but in a different signification, namely, to consult, or ask counsel, because the intent of those first instituted consuls, was, that they should do nothing but with the advice or counsel of the senate and the people. Their power was at first the same as that of kings, only restrained by a plurality of persons and shortness of time; and hence Tully calls it *regnum imperium* and *regia potestas*. The law which placed consuls at the head of the republic calls them also prætors and judges. Cicero quotes it in his third book of laws. When it was made in the comitia, which changed the monarchy into a republic, it is said to have run thus: *Reges imperio duo sunt, iique præeundo, judicando, & consulendo, prætores, judices, consules, appellantur. Militiæ summum jus habento. Nemini parento. Ollis salus populi suprema lex esto.* Let them be two persons vested with regal power, who from going before, judging, and consulting, are called prætors, judges, and consuls. Let them have the supreme command in war. Let them be subject to no person. Let the safety of the people be to them the supreme law. In war they commanded in chief over citizens and allies, and their power was very extensive in peace. They had the government of the senate itself, which they assembled or dismissed at their pleasure. And though their authority was very much diminished, first by the tribunes of the people, and afterwards by the emperors, yet they were still employed in consulting the senate, administering justice, managing public games, and they had the honour of having the year called by their names. At first none but patricians were capable of being elected into this office, but the commons, as we shall afterwards see, obtained the privilege of having one of their own body an associate in it, and were some time so powerful, as to have both consuls chose out of their order. No person was allowed to sue for this office, unless he was present at the election, and in a private station, and the common age required in the candidates was forty-two years. But sometimes the people dispensed with this law, and the emperors seldom regarded it. The time of their government before Julius Cæsar was always a complete year, but he introduced a custom of substituting consuls at any time for a month or less, as he pleased. Yet the consuls who were admitted the first of January, denominated the year, and were called *ordinarii*, and the others were styled *suffecti*. They were only denied the common use of the sceptre, crown, and an habit of distinction. But our author, b. 30, assures us, that the consuls, on the days of their triumphs, in the public sports, and at solemn sacrifices, wore the crown of gold, the ivory staff, or sceptre, and the habit striped with purple, as the kings did. They were guarded by the twelve lictors alternately, each in his month, and Brutus was first attended with the fasces before his colleague Collatinus, according to our author, b. 2, s. 1. The consul who was the oldest, or had most children, or most suffrages for the consulship, had the precedence and the lictors for the first month.

### NOTES ON THE SECOND BOOK.

SECTION I. (a) According to Dionysius Halicarn. these consuls entered into office about the beginning of June; and Brutus, with several colleagues given him, held the first consulate 16 months, from June, year of Rome 244, to October 245, the time when the consulship began in those days.

(b) The conscript fathers were called the *novus senatus*, or *new senate*. And it appears from our author's words, rightly understood, that the old senators only were called *patres*, and that the new ones were distinguished from them by the name of *conscripti*. Dion. Hal. gives the same name of *patres conscripti* to the first senators, created by Romulus; but this form, *Qui patres, quique conscripti essent*, which was used when the senate was called together, sufficiently shews his mistake; so that when we find in Latin authors, *patres conscripti*, used to express the senate in general, the words must be understood, as if they were joined by a conjunction, *patres & conscripti*. The fathers and those who have been added to them. Of this opinion is Festus, when he says, that those were called *conscripti* who had passed from the order of Roman knights into that of senators.

SECTION II. (a) Our author justly founds this priestly dignity on the superstition of the people, who considered that their kings having often exercised the priestly office, the decency of the worship which they were obliged to pay to the gods, required that the priest, who presided over the sacrifices, should have the name of king, though his authority was entirely confined to religious concerns, and subjected to the high priest. Dion. Hal. pretends that the Romans, in consideration of the advantages which had accrued to their city from their kings, thought themselves obliged to preserve the name, in the person of a sacrificer. He was elected by the people assembled by centuries, and was consecrated by the augurs and pontifices. He enjoyed many privileges, but with this reserve, that he might neither canvass for nor exercise any office or magistracy. He was even forbid to be present in the comitia, and therefore after he had presided at the sacrifice which preceded the holding of it, he immediately retired. His wife was called queen, and bore a part with her husband in the priestly functions.

SECTION V. (a) It was a plain encompassed with trees, and from this time made a common pasture, and the Roman youth made use of it as a convenient place for the exercises of wrestling and racing.

(b) The island was joined to the city and to the hill Janiculus by two bridges, whence it had the name of *the island of the two bridges*. It was afterwards called *the sacred island*, when the Romans built a great many temples on it to the honour of their gods. They built in particular three, one to Jupiter, another to Æsculapius, and a third to Faunus

(c) Our author, book 9, dec. 1, observes, that the reward appointed by law for the slaves who should discover conspiracies, amounted to 25,000 asses of brass, about *8l. 14s. 7d.*

(d) It is probable that the Latin phrase *vindicare in libertatem*, to set at liberty, had its rise from the name of Vindicium, who was made free by the consul. But there are others who derive it from the word *vindicta*, which signifies a wand, with which the prætor, whose office it was afterwards to grant freedoms, struck the slave, whose master had a mind to set him at liberty.

But it may be said that the wand took its name from *Vindicius*. In the ceremony of granting freedoms publicly (for there were private ones which were granted either by will, or in the presence of witnesses), the master presented his slave to the prætor, first holding him by the hand, and afterwards quitting his hold. Whence came the Latin word *manumissio*. Then after he had given him a little blow on the cheek, he presented him to the consul, or to the prætor, who striking him gently with his wand, pronounced these words: *ait te liberum esse more Quiritium, I declare thee free according to the manner of the Romans*. The ceremony being ended, the slave was registered upon the roll of freedmen. Then he was shaved, and put on the cap *pileus*, which was worn by the Romans upon certain days. In order to make the taking possession of this kind of cap more solemn, it was performed in the temple of Feronia, the goddess of freedmen. In one of these temples there was a stone seat, with this inscription on it: *bone merito servi sedeant, surgunt liberi, let well deserving slaves sit down here, and rise freedmen*. And it is well known that the pileus was, among the ancient Romans, the sign and symbol of liberty. At the death of Nero, the people appeared in the streets with this cap on their heads. On the medal of Antonius, we see liberty holding the pileus in her hand with this inscription, *LIBERTAS*, COE. iv.

SECTION VII. (a) The field of battle was situated between the hill Janiculus, and the place now called *Borghetto*. It was bounded by this forest, consecrated to a hero, whose name was *Arvius*.

(b) The year of mourning was but ten months, according to Numa's prescription.

(c) That is, upon that part of the Palatine hill, which is called *summa*, upper, to distinguish it from that part called *ima*, lower. Varro derives this word *velia* from the Latin word *vellere*, because the shepherds used to lead their sheep to feed in that place, and there pluck off their wool before shearing was invented.

SECTION VIII. (a) Every Roman had ordinarily three, and sometimes four names. The first was called *prænomen*; the second *nomen*; the third *cognomen*; and the fourth *agnomen*. The *nomen* shewed the family from which the person was descended. The *prænomen* and *cognomen* were often nick names, taken from the circumstances of the persons birth, or his defects or bodily qualities. The last names were to some titles of honour, as those of *Poplicola*, *Africanus*, *Germanicus*, &c.

(b) The honour of dedicating a temple was a mark of distinction which the great men of Rome earnestly solicited. This ceremony, in the earliest times of the republic, belonged to the consuls, who either cast lots for it, or were appointed thereto by the senate. Afterwards the people assembled by tribes named the consecrator. At length the senate recovered the right of nomination, and this even in the time of the Roman emperors. The dedication of a temple was a solemn festival accompanied with extraordinary rejoicings. The altars were then adorned with flowers and garlands. Sacrifices were offered up, and hymns sung to instruments of music. The magistrate, who presided at the ceremony, gave the college of the pontifices notice of the day of dedication. He summoned the pontifex maximus to appear at the temple, and pronounce the words of consecration: after whom this magistrate repeated them word for word, with his hand upon the side-post of the door of the temple. He was obliged to be extremely exact in doing it. A syllable forgotten, or ill-

pronounced, gave the people an alarm, and they deemed it an unlucky omen to the consecrator. Therefore Metellus the pontifex maximus, who had an impediment in his speech, was several months learning to pronounce the word *epifera*. It was not lawful to appear at this solemnity in mourning, but only in white clothes.

SECTION IX. (a) *Lars* in the Etrurian language is said to signify Prince or Lord.

(b) A city of Tuscany now called Chiusi.

(c) A city of Campania. It stood upon a hill whose foot was washed by the waves of the sea. The ruins of it bear the name of Cuma to this day. Four miles from it, near the lake Avernus, now *Lago d'Averno* or *Lago di Tripergola*, there is a cave, which passes in the country for the Sybil's grotto, *Grotto della Sybilla*.

SECTION XI. (a) This gate led to the field Esquilinus. Criminals passed through it to execution, and dead carcasses and filth were carried out of the city that way: it is probable that it was formerly *Porta Mæcia*. From the figure of a bull's head upon this gate, it had the name of *Porta Taurina*. Some authors call it *Porta Labicana*, and *Porta Prænestina*; because, they say, it led to two roads, one of which went to Labicum, and the other to Præneste. But others pretended that these different names signify different gates.

(b) This gate was so called from the word *collis*, which signifies a little hill, because it joined the two hills Quirinalis and Viminalis. It had also the name of Quirinalis, from the hill of that name, or from a little temple in the neighbourhood, sacred to Quirinus. This gate led to the Salarian way, whence it was afterwards called *Porta Salaria*; and as there stood near it a temple dedicated to *Salus* or Health, it is therefore called by some authors *Porta Salutaris*. Its first name was that of the gate *Agonensis*, which was given it either from the Agonian sports, which were celebrated before it, when the circus was overflowed by the Tiber, or according to Festus, because hills were formerly called Agones.

Antiquarians have tired themselves in vain with enquiring into the situation and number of the gates of Old Rome; and after all their enquires have not been able to come to any certainty about either.

(c) Which Varro derives à *memoribus* from the woods which formerly stood near it. Some think it stood between the gate Capena and the Tiber; others think it stood on the east side of the city near the gate Esquilina.

SECTION XIII. (a) Because after the loss of his right-hand, he made use of his left.

(b) It was customary among the Romans to make the soldiers, who distinguished themselves in battle, a present of corn, which was called *adorea*; but to others was given the fee of a piece of ground, and in this consisted all the riches of the most illustrious Romans in those early times. But he was thought a dangerous citizen who was not content with seven acres of land.

SECTION XIV. (a) A considerable city of Latium, a mile beyond the ancient city of Alba. It is now a small town called La Riccia. It stood in the Appian way, about 15,000 paces from Rome. Near this city was the lake Aricia, at present Lago de Nemi, and a forest and mountain of the same name, which were famous among the ancients for the secret conversations between Numa and the nymph Egeria. Afterwards Aricia became a municipal town. But we

must not confound the grove and fountain of Egeria, which Numa consecrated at Rome near the gate Capena, with the forest and fountain of Aricia.

(b) This street was in the way from the forum to the great circus.

SECTION XV. (a) A city of Latium, about twelve miles from Rome, built on an eminence, where many of the Roman nobility, and particularly Virgil and Horace, had country seats. Hor. Epod. 1, 29. It is now called Frascati.

SECTION XVI. (a) There are now no remains of this city which the ancients called sometimes Regillæ, and sometimes Regillum. But by the descriptions which they have given of it, it appears to have been about twenty miles distant from Rome, and about five from the Tiber. Cluverius places it beyond Eretum and Nomentum.

(b) There were among the Romans, city-tribes, and country-tribes, from Servius Tullius's time. Rome itself was divided into four tribes, which took their names from the several quarters of the city. The first was called Suburana Tribus; the second, Tribus Palatina; the third, Tribus Esquilina; the fourth, Tribus Collina. The country belonging to the Romans was also divided into tribes, in the same manner, and they, for the most part, took their names from some illustrious families in Rome. It is probable that there already was a tribe in the territory, in which Clausus or Claudius's clients were placed; and that, upon their coming, it took the name of Tribus Claudia, in honour to those who were newly come to settle in it. Some will have their district to have been on the banks of the Anio; but others say it lay between Fidena and Ficulea. Nor were the tribes in the country inferior to those in the city: for Pliny, b, 18, chap. 3, informs us, that the most illustrious Romans, who had lands in the country, and a house in Rome, chose rather to be enrolled in the tribe, in which their estates lay, than in the tribe or quarter, where their houses stood in the city. They were by this means less exposed to the jurisdiction of the censor, and their rights, as citizens, were not at all impaired by it.

SECTION XVII. (a) An engine of war made of timber and hurdles, under which, in an assault, they came safely under the walls of a town, and so scaled them. They were usually eight feet broad, seven high, sixteen long.

SECT. XIX. (a) There was both a city and a lake of that name, but it does not appear that the one gave name to the other; for the city was in Sabinia, and the lake in Latium, towards Tusculum. Cluverius and Ferrarius are of opinion, that this lake is the same which is now called Lago di S. Prassede. Others suppose it to be the lake now called Lago di Castiglione. Holstenius finds a little lake near the city Colonna, which appears to him to be the lake Regillus of the ancients.

SECTION XXI. (a) Macrobius assures us, that this feast was celebrated in Italy long before the building of Rome. But we have no account that it was observed by the Romans before the time mentioned by our author, when it is probable they borrowed it from their neighbours. It was kept in honour of Saturn. Besides the sacrifices and other parts of public worship, there were several things which deserve notice. As first, the liberty at this time allowed to servants to be free with their masters, in memory of the liberty enjoyed in the golden age under Saturn, before the names of master and servant were known. Besides this, friends sent presents to one another. No war was to be proclaimed and no offender executed. The schools kept a vacation, and nothing but mirth and freedom was to be met with in the city; they kept at first only

one day, the 19th of December. But the number was afterwards increased to three, four, five, and some say, seven days.

SECTION XXIII. (a) The first custom that prevailed among the Romans was terribly severe; and though the laws might be designed to prevent extravagance, debauchery and idleness, they were utterly inconsistent with the laws of humanity and good policy. When the debtor was insolvent, the creditor had a right to put him in irons, or to sell him as a slave. Sometimes he was cruel enough to whip him unmercifully. After a certain number of summonses, the law granted to the debtor thirty-two days of grace, to give him time to raise the sum for which he was accountable. After this term was expired, if the debtor had not discharged the debt, he was led to the prætor, who delivered him up to the mercy of his creditors. These bound him and kept him in chains, for the space of sixty days. Afterwards, for three market-days successively, this debtor was brought to the tribunal of the prætor; then a public crier proclaimed in the forum the debt for which the prisoner was detained. Oftentimes there were found rich persons who redeemed the prisoners by offering to pay their debts. But if nobody appeared in behalf of the debtor, after the third market-day, the creditor had a right to inflict the punishment by law. *Tertiis nundinis capite pœnas dato, aut trans tiberim peregre venundicito*, &c. If there were several creditors, they were allowed, in consequence of so rigorous a law, to divide the body of the prisoner into several parts, and share them in proportion to the sum which they demanded. But this barbarous law did not continue long in force. It was changed into the punishment of coercion, that is, into the right the creditors had of imprisoning their debtors in their own house and making them slaves. These were called *nexi* and not *servi*, because their slavery lasted no longer than all their debts were paid. This coercion of private persons, who kept their debtors in their own houses, was afterwards changed into public imprisonments, which was a less rigorous punishment than the other.

(b) The laws in Rome permitted lending money at 20, 30, nay at *Cent. per Cent.* not only for a year, but even for a month. This shameful abuse was afterwards reformed, but it is surprising to see how strenuously the greater part of the Patricians opposed this reformation, which was so just and reasonable.

SECTION XXIV. (a) At the same time of the year, as the consuls were declared elect or designed, they chose the military tribunes, fourteen out of the body of the equites, who had served in the army five years; and ten out of the commonalty, such as had made ten campaigns. The former they called *tribuni juniores*, the latter *seniores*.

The consuls having agreed on a levy, (as in the time of the commonwealth, they usually did every year) they issued out an edict, commanding all persons who had reached the military age (about 17 years) to appear (commonly) in the capitol, or in the area before the capitol, as the most sacred and august place, on such a day. The people being come together, and the consuls, who presided in the assembly, having taken their seat, in the first place, the four and twenty tribunes were disposed of, according to the number of legions they designed to make up, which was generally four. The junior tribunes were assigned, four to the first legion, three to the second, four to the third, and three to the last. The senior tribunes, two to the first legion and the third; three to the second and last. After this, every tribe being called out by lot was ordered to divide into their proper centuries; out of each century were soldiers

cited by name, with respect had to their estate and class; for which purpose there were tables ready at hand, in which the name, age, and wealth of every person was exactly described. Four men, as much alike in all circumstances as could be pitched upon, being presented out of the century, first the tribunes of the first legion chose one, then the tribunes of the second another, the tribunes of the third legion a third man, and the remaining person fell to the tribunes of the fourth. Then four more were drawn out; and now the right of chusing first belonged to the tribunes of the second legion; in the next four to the tribunes of the third legion; then to the tribunes of the fourth legion, and so round; those tribunes chusing last the next time, who chose first the time before; the most equal and regular method imaginable.

(b) The giving the military oath, which was called *sacramentum*, was properly speaking the legal method of forming the Roman armies. After the soldier had been chosen out of each tribe, the oath was administered to them in the following manner. The tribunes of each legion assembled the body they commanded. Then one soldier in a legion swore in the name of all the rest, to obey the commanders of the Roman army. After he had ended, the whole legion passing by, one by one, every man, in short, swore to the same effect, crying as he went by, *Idem in me*. This custom continued till the 598th year of Rome; and then another oath was added, called by our author, b. 22, but of this in its proper place.

SECTION XXVI. (a) The Arunci possessed that part of Italy which reaches from Terra di Lavoro, beyond the Carigliano or the Liris. The capital of this nation was situated almost in the neighbourhood of the cities of Fundi and Cajeta.

SECTION XXVII. (a) Mercury, who was thought by the pagans to be the god of commerce, was as it were the patron of this society. For this reason Tully calls merchants *Mercuriales*.

(b) The first centurion, according to Vegetius, b. 2, not only had the eagle of the legion in his company, but had likewise the command of four centuries, i. e. 400 men. The other centurions in the legion were his subalterns.

SECTION XXX. (a) The Æqui were a people of Latium, situated between the Sabines, the Marsi, the Hernici and the Latines. Virgil calls them *Æquicolæ*; Ptolomy, *Æquiculi*; and Pliny, *Æquiculani*. They inhabited a part of the Campagna di Roma round about Sublaco and the Teverone.

(b) An ancient city of the Volsci, now Velitri.

SECTION XXXIII. (a) The authority of the tribunes was very extraordinary; for, though at first they pretended only to be a sort of protectors of the commons, and redressers of public grievances, yet afterwards they usurped the power of doing almost whatever they pleased, having the whole populace to back and secure them; and therefore they assembled the people, preferred laws, made decrees, and executed them upon the magistrates themselves; and sometimes commanded the very consuls to be carried to prison; and were, without question, the authors of far greater animosities between the nobles and commons, than they were at first created to appease.

That which gained them the greatest security, was their repute of being *sacrosancti*, which they confirmed by a law; so that it was reckoned the highest act of impiety to offer them the least injury, or so much as to interrupt them when they were speaking. Their interposing in matters determined by the senate, or other magistrates, was called *intercessio*, and was performed by standing up, and pronouncing only one word,  *veto*.

As for the ensigns of their office, they had no pretexta, lictors, nor curule chair; and only a sort of a beadle, whom they called viator, went before them.

Sylla the dictator was the first who dared to put a stop to the encroachments of the tribunes; but they soon recovered their old power again, till the time of the emperors, who left them very little but the name and shadow of magistrates; this they effected, as by several means, so particularly by obliging the people to confer the same power and authority on themselves: whence they were said to be *Tribunitiâ potestate donati*: for they could not be directly *Tribuni*, unless their family had been *Plebeian*.

(b) The law, whereby the persons of the tribunes were made sacred, i. e. inviolable, ran thus; Let the tribune of the people be exempt from all the servile offices imposed on the citizens. Let none of them be laid upon him, but by his own consent. Let no one strike him, or cause another to strike. If any offend in this, let him be execrable, and his goods appropriated to the worship of Ceres. If any one kills him, any person that will may kill the murderer with impunity.

(c) See below, note (e) on Corioli.

(d) Ibid.

(e) There are no traces of this city now remaining. We only know that it was near the Pontinalacus, not far from Longula and Polusca, formerly two considerable cities in the country of the Volsci, whose situation is not exactly known.

(f) The Roman *as* was in value three farthings one tenth English money.

SECTION XXXIV. (a) This country was so called from the Pontine lake. It lay in that part of Latium which is bounded on the east, partly by the rivers Ufens and Amazinus, and partly by the city of Anxur or Terracina; on the south by the Tyrrhenian sea, and the promontory of Circæum; on the west by the river Astura; and on the north by the cities of Norba and Setia. Before this part of Latium was drowned by the overflowings of the Nymphæus, the Amasena, the Astura, and the Ufens, it was deemed the garden of Italy both for pleasure and fertility. Pliny, b. 3, sect. 3, says there were twenty-three cities in it, which are supposed to have been swallowed up by inundations, or overturned by earthquakes.

(b) Norba in Latium stood upon an hill where the Nymphæus rises. The natives call it Norma to this day.

XXXVI. (a) Among the Romans it is agreed, that the cross was the punishment for slaves; and Juvenal says it expressly in these words:

*Pone crucem servo. Meruit quo crimine servus.*

*Supplicium?*

Yet the masters were not allowed to crucify their slaves by their own authority. At Rome the magistrates, who were called the *Triumviri Capiteles*, condemned the slaves. In the provinces this right belonged to the presidents, such as was Pontius Pilate at Jerusalem. The cross and the *furca* are commonly taken for the same thing in authors: though, properly speaking, there was a great difference between them. The *furca* is divided by Lipsius into *ignominiosa* and *pœnalis*; the former Plutarch describes to be that piece of wood which supports the thill of a waggon: he adds, that it was one of the greatest penances for a servant who had offended, to take this upon his shoulders and carry it about the neighbourhood; for whoever was seen with this infamous burden, had no longer any credit or trust among those who knew it,



but was called *furcifer* or *rogue* by way of ignominy and reproach. *Furca pœnalis* was a piece of wood much of the same shape as the former, which was fastened about the convicted person's neck, he being generally either scourged to death under it, or lifted up by it upon the cross. Lipsius makes it the same with the *patibulum*, and fancies that, for all the name, it might not be a forked piece of timber, but rather a straight beam, to which the criminal's arms were fastened being stretched out upon it, and which being hoisted up at the place of execution, served for the transverse part of the cross.

SECTION XXXIX. (a) A town of Campania in Italy, at the foot of mount Circello on the sea-coast. Now S. Felicita.

SECTION XLL (a) When the Romans had gained any considerable advantage over their neighbours, they never granted them peace till they had taken part of their land from them, which was immediately incorporated with that of Rome. Part of these conquests were sold to indemnify the state for the expences of the war. Another portion of them was distributed gratis among the poor plebeians who had no settlement of their own. Sometimes part of them was farmed out for the benefit of the public. Rapacious patricians, solely intent upon enriching themselves, took possession of a great part of those lands by indirect methods; and whenever any attempt was made to wrest from them any part of these possessions which they had most unjustly usurped, the republic was rent with most terrible convulsions.

(b) The *quæstors* had the care of the finances and the keeping of the public treasure, of which they were to give account to the people after their office was expired. They had therefore a right to take care of recovering alienated sums, and proceeding against those who applied the money of the republic to their own use.

SECTION XLII. (a) The Romans called this month *quintilis sc. mensis, i. e.* the fifth month after March, with which they began their year. It was called July in honour of Julius Cæsar.

(b) See note on vestal virgins, book 1. sect. 20.

SECTION XLIII. (a) It is difficult to fix its ancient situation exactly. Some think it stood where the present Orti or Orta now stands, at the conflux of the Tiber and Nar.

SECTION XLVII. (a) The whole Roman infantry was divided into four sorts, *velites*, *hastati*, *principes*, and *triarii*.

The *velites* were commonly some of the *tiros*, or young soldiers, of mean condition, and lightly armed. They had their name *a volando*, or *a velocitate*, from their swiftness and expedition. They seem not to have been divided into distinct bodies or companies, but to have hovered in loose order before the array.

The *hastati* were so called, because they used in ancient times to fight with spears, which were afterwards laid aside, as incommodious; these were taken out the next in age to the *velites*.

The *principes* were generally men of middle age, and of greatest vigour; it is probable, that before the institution of the *hastati*, they used to begin the fight, whence they borrowed their name.

The *triarii* were commonly *veterana*, or hardy old soldiers, of long experience and approved valour. They had their name from their position, being marshalled in the third rank, as the main strength and hopes of their party. They are sometimes called *pilarii*, from their weapon the *pilum*.

SECTION XLIX. (a) So called from Carmenta the prophetess, the mother of Evander.

(b) It is supposed to be the small river that now runs out of the lake Bacana, and falls into the Tiber five miles from Rome.

SECTION LII. (a) 5*l.* sterling.

### NOTES ON THE THIRD BOOK.

SECTION I. (a) In the year of Rome 282.

(b) Antium was the capital of the Volsci, situated on the point of a rock. It was a day's journey from Ostia, according to some, near Nettuno, or according to others near Antio Rovinato. Its name is still retained in *La torre d'Anzo* and *Cape d'Anzo*.

SECTION II. (a) It was situated in the farthest parts of the country of the Hetrurians, in the Latine way, on a hill, and near a wood, which is now called *Selva del l'Aglia*. This city lay eighteen miles from Rome.

SECTION III. (a) This was the ninth lustrum since their first institution, and shews that Rome had received no considerable increase.

SECTION IV. (a) Ecetra was a considerable city among the Volsci, and was situated on a hilly ground. No traces of it are now to be seen.

(b) By this decree the senate granted the consul the supreme power. His decisions were absolute, and no appeal to be made from them.

(c) The proconsul supplied the place of the consul, and governed with the same authority, but was confined to that province, which the republic committed to his care.

SECTION V. (a) There were ten cohorts in each legion. The number of men in a cohort was greater or less, according as the legions were so. In a legion consisting of 4000 men, a cohort had 400. In one of 5000, a cohort consisted of 500. A cohort contained three manipuli, the first of which consisted of the *principes*, the second *hastati*, the third *triarii*. It is commonly reckoned that the lieutenant-general had two cohorts with him, who were all cut off to a man.

(b) Book 3, sect. 5.

(c) These days were called *Imperativa FERIA*, and were not held at any fixed season; but were appointed as circumstances and occasions required; sometimes in a time of public rejoicing, sometimes of public calamity.

SECTION VI. (a) Nothing is more uncertain than the beginning of the consular year; and chronologists have at last owned all their endeavours to settle it unsuccessful and vain. It is probable at the first creation they entered into office in the calends of March; afterwards in October; now in August; and it will in the sequel appear, that they entered into office sometimes in July, December, and sometimes in March, till the consular years were fixed to begin in January, and continued to do so till the ruin of the republic.

SECTION VII. (a) It was a city of Old Latium, thirteen or fourteen miles from Rome, formerly famous for its excellent waters, fruitful soil, and pleasant hills. Its ruins are to be seen near the city of Fracasati.

(b) It is likewise wrote *Labican*. The capital of this country was *Lavicum* or *Labicum*, now called Valmontone. Culverius calls it *Zagorollum*.

(c) The chief of the curiones was called *curio maximus*, and had the pre-eminence and inspection over the inferior *curiones*, who were, for that reason, called *curiones minores*. The chief curio is compared by the fathers *Catrou* and *Rouille* to the archpriests or archdeacons in France, standing in the same relation to the other *curiones*, as they do to ministers of parishes. He was chosen by all the curiæ together. The curiones had the charge of the sacrifices, almost in the same manner as the principal magistrates had in Greece.

(d) These persons, who endeavoured to appease the incensed gods, prostrated themselves at the gates of their temples, kissed the threshold, knocking their heads against the door-post, and crawled on their belly to the altar or shrine of the god whom they desired to appease.

SECTION VIII. (a) This month was called *Sextilis*, as being the sixth in order from March, when they began their year. As the month *Quintilis* was called *Julius*, in honour of *Julius Cæsar*, so the month *Sextilis* was called *Augustus*, in honour of *Augustus Cæsar*.

SECTION IX. (a) Others say ten; and then the form of the bill was this: *Let the people, in lawful comitia, elect ten men, of a mature age, consummate wisdom, and unspotted reputation, to draw up a body of laws, as well for the administration of the public, as determination of private affairs. Let these laws be fixed up in the public forum; and let the annual magistratss, as well as other judges, be obliged to conform themselves to them, in the decisions of the controversies which may arise in Rome.*

SECTION X. (a) A petty kind of triumph decreed where the war was not very dangerous, and consequently the victory not very important. The general to whom it was decreed, was not allowed to enter the city in a chariot, or to be crowned with laurel. He marched on foot to the capitol with a crown of myrtle on his head. Upon a triumph it was the common practice of the general to transfer his army to the command of another, excepting in times of confusion, when neither this nor any other custom or law was regarded.

(b) These *duumviri* consulted the sybilline books, whenever the senate pleased. But recourse was seldom had to them, but under some severe public calamity, as in case of sedition, a Roman army's being defeated, or the appearance of prodigies, which were deemed fatal. Then these officers were to see what the sybilline books commanded put in execution. They presided at the sacrifices and public sports, which were made to appease the wrath of the gods. They likewise had the ordering of every thing relating to the *ludi seculares*. They held their office for life, and were exempted from taxes, civil and military employments. From *duumviri* they increased to *decemviri*, and then to *quindecimviri*. This magistracy was, with the other Roman superstitions, abolished by the emperor *Theodosius*.

(c) This way of levying forces was called *MAKING A CHOICE*, because all the citizens being soldiers, in case of a war the consuls had power to chuse whomever they thought fit for service.

(d) The toga was the most common habit of the ancient Romans, especially in the times of the Republic. Under the empire of Augustus, the poor people often wore nothing but a tunick, or a sort of cassock. *Tunicatus hic populus* says Tacitus de Orat. *transeuntes nomine vocat, & digito demonstrat*. This emperor, being angry, according to Suetonius, to see the people so clothed, could not help expressing his resentment at it. Look at these Romans, says he, *Romænes rerum dominos gentemque togatum!* Nothing has been more contro-

verted than the form of the ancient Roman toga. Some, as Rubenius, are persuaded it was open before from the top to the bottom. Le Ferrari, in his book, *de re vestiaria*, thinks, with more probability, that it had no opening but in the upper part, where a great hole was cut in it, for the head to go through, and to give the more play to the arms, this robe had no sleeves. It was pretty much like a mantle, which reaches down to the heels in great folds, only with this difference, that the toga was not open before. The hole in the upper part of the toga, gave the right arm free play; but not the left, which was employed in holding up the bottom of the robe, the other lappet of which was thrown from the right side over the left shoulder, for the convenience of action.

But was this garment square or round? Or was it only a half round? This is again another dispute among the moderns, and is both very difficult to be determined, and more trifling. The toga was generally white, Before luxury prevailed, its value consisted only in the fineness of the wool, of which it was made. Those who stood candidates for the magistracy appeared in the comitia, in a robe dressed by the fuller on purpose. It was of a very bright and shining white colour; from whence they had the name of *Candidati*. The common toga worn by the Romans was called *toga pura*, and was of the natural colour of wool. Though this sort of habit was rather inconvenient for soldiers, yet it was used by the Roman soldiers in the first ages of Rome, till for the convenience of the soldiery, habits were given them, of another form. After this, the toga was worn only by such as did not belong to the army, and became the symbol of peace, *cedant arma togæ*. Some have imagined, the Romans tied up the folds of the toga with a girdle: and quote a passage in Macrobius in proof of it. He, speaking of Cæsar, *Saturnal. b. 2.* expresses himself thus. *Ita toga præcingebatur, ut trahendo laciniam, velut mollis insurgeret, ut Sylla tanquam providus dixerit Pompeio, cave tibi illum præuram male præinctum.* But besides that a girdle would have tied down the left arm, which could not have been used but by putting it under the lappets of the robe, it is evident, the Romans wrapped the toga round their bodies in a manner that a girdle would have been both inconvenient and useless. The toga itself made a girdle: Macrobius therefore only means, that Cæsar wrapped the lappets of his robe across him, in such an affected manner, as made him to be thought effeminate. The soldiers, when they also wore the toga in the army, used to fasten it up, and bringing up the lappets under their stomach, tie them in a knot, after the manner of the Gabini. This they did that they might be the more nimble. And from hence come the Latin expressions *ciactus Gabinus*, and *in procinctu*, which was originally said of a man ready to fight. The Romans, who usually went bare-headed, used to cover their heads with the upper part of their robe, which was like a cowl, to defend them from the sun, rain, and cold. Only they took care, as we learn from Plutarch, to uncover their heads, whenever they met any person, to whom they would pay any respect. Varro assures us, that in the first ages of Rome, the toga was a garment used both by men and women. But afterwards the Roman ladies wore a particular habit, of which we shall have occasion to speak hereafter. After this the toga was used by none but loose women. They were obliged by the laws to appear in it, as a mark of their infamy.

SECTION XI. (a) The name of *Cæso* was usually given to those children, who could no otherwise be brought into the world than by cutting open their mothers.

SECTION XIII. (a) This surname of Fictor was probably given to M. Volscius, from his bearing false witness against Cæso.

(b) Subura was a village which stood in one of the valleys of mount Cælius, and was anciently called *pagus sucusanus*. It gave name to that tribe called *tribus Suburana*.

(c) According to Arbutnot, the amount of this in sterling money is 9l. 13s. 6d.

SECTION XV. (a) This was Poplicola's second consulate.

(b) By this it would appear that the Roman arms, in time of peace, were kept in public arsenals, under the custody of the chief magistrates, who gave them out only as the public necessities required.

SECTION XVII. (a) It was usual both for the senators, tribunes, and other magistrates, to meet in some temple, or at least in places consecrated by augury.

SECTION XVIII. (a) The freemen were beheaded and the slaves crucified.

(b) To bring armed men into the temples of the gods was an impious profanation of them; it was therefore necessary to purify them. In this ceremony they used sacrifices, holy water, aspersions, and fumigations of sulphur, olive branches, laurel branches, and odoriferous herbs.

(c) This was really a mark of respect for the dead consul, not that his family was reduced to want. The Roman farthing, or 4th part of an *as*, was in value almost equal to our half-penny.

SECTION XX. (a) The decrees of the senate among the Romans were thought void and null, if passed in an unconsecrated place.

(b) The Romans did nothing without first consulting the augurs, and taking the auspices. If the omens were not favourable for the holding the comitia, or in any other case, these officers made use of the words *alio die*, *another day*. If they were favourable, they said *addixit avis cornix*, or, *corvus fecit rectum*, the birds promise good success.

SECTION XXII. (a) This was the tenth since its first institution.

SECTION XXIII. (a) We have changed the vulgar reading *relicto*, or *reliquo exercitu*, to *relato* on the authority of Rubenius.

(b) Now Colonna.

SECTION XXVI. (a) Eretum was a city belonging to the Sabines, and lay not far from the Tiber. Several Roman itineraries place it on a high hill in the Salarian way, now called *Monte rotundo*. Solinus says it was built by the Greeks, who gave it the name of Eretum from *Hpa*, *Juno*, to whom it was consecrated.

(b) According to Pliny, this meadow lay in Agro Vaticano, between the vineyard of Medicis, the castle of S. Angelo, and the gate of the people. It is now called *Di Prati*.

(c) This place was near the bridge Sublicius. King Ancus Marcius built it as a landing place for the vessels which brought wine to Rome. From thence the gate on the side of the city was called *Porta vinaria*.

SECTION XXIX. (a) According to the Capitoline marbles Quinctius triumphed on the *ides*, i. e. the 13th day of September.

SECTION XXXII. (a) One of the seven wise men of Greece. He was contemporary with Tarquinius Priscus, and about the time of that king's reign gave the Athenians a body of wise and wholesome laws. A. Gel. xvii. 21.

SECTION XXXIII. (a) This officer was called *accensus*.

SECTION XXXIV. (a) We shall here give the reader the scattered remains of this body of laws, as collected by the fathers *Catrou* and *Rouille*.—

**TABLE I.—Of Law-suits.**—I. **LAW.** Go immediately with the person who cites you before the judge. II. **LAW.** If the person you cite refuses to go with you before the judge, take some that are present to be witnesses of it, and you shall have a right to compel him to appear. III. **LAW.** If the person cited endeavours to escape from you, or puts himself into a posture of resistance, you may seize his body. IV. **LAW.** If the person prosecuted be old, or infirm, let him be carried in a jumentum, or open carriage. But if he refuse that, the prosecutor shall not be obliged to provide him an arcers, or a covered carriage. V. **LAW.** But if the person cited find a surety, let him go. VI. **LAW.** Only a rich man shall be security for a rich man. But any security shall be sufficient for a poor man. VII. **LAW.** The judge shall give judgment according to the agreement made between the two parties, by the way. VIII. **LAW.** If the person cited has made no agreement with his adversary, let the prætor hear the cause from sun-rising till noon; and let both parties be present when it is heard, whether it be in the forum, or comitium. IX. **LAW.** Let the same prætor give judgment in the afternoon, though but one of the parties be present. X. **LAW.** Let no judgment be given after the going down of the sun. XI. **LAW.** When the parties have pitched upon a judge or arbitrator by consent, let them give securities, that they will appear. Let him who does not appear in court pay the penalty agreed upon, unless he was hindered by some great fit of sickness, or by the performance of some vow, or by business of state, or by some indispensable engagement with a foreigner. If any one of the impediments happen to the judge or arbitrator, or either of the parties, let the hearing be put off to another day. XII. **LAW.** Whoever shall not be able to bring any witnesses to prove his pretensions before the judge may go and make a clamour for three days together, before his adversary's house.

**TABLE II.—Of Robberies.**—I. **LAW.** He that is attacked by a robber in the night, let him not be punished if he kills him. II. **LAW.** If the robbery be committed by day, and if the robber be taken in the fact, let him be beaten with rods, and become the slave of him whom he robbed. If the robber be a slave already, let him be beaten with rods, and thrown down headlong from the top of the capitol. If he be a child, under the age of puberty, let him be corrected, according to the prætor's discretion, and let reparation be made to the injured party. III. **LAW.** When robbers attack any person with arms, if the person attacked has cried out for help, he shall not be punished if he kills the robbers. IV. **LAW.** When upon a legal search, any stolen goods are found in a house, the robbery shall be punished upon the spot, as if openly and publicly committed. V. **LAW.** For robberies committed privately, the robber shall be condemned to pay double the value of the things stolen. VI. **LAW.** Whoever shall cut down trees, which do not belong to him, he shall pay 25 asses of brass, for every tree so felled. VII. **LAW.** If any one comes privately, by night, and treads down another man's field of corn, or reaps his harvest, let him be hanged up, and put to death, as a victim devoted to Ceres. But if he be a child, under the age of puberty, let the prætor order him to be corrected as he shall think fit, or let double satisfaction be made for the damage he has done. VIII. **LAW.** If a robber and the person robbed agree together upon terms of restitution, no farther action shall lie against the robber. IX. **LAW.** Prescription shall never be pleaded as a right to stolen goods, nor shall a foreigner have a right to the goods of any Roman citizen, by the longest possession. X. **LAW.** If any one betrays his trust, with respect to what is depo-

sited in his hands, let him pay double the value of what was so deposited to him who entrusted him with it. XI. LAW. If any one finds any of his goods in another man's possession, who became possessed of them by a breach of trust, let the prætor nominate three arbitrators to judge of it. And let the wrongful possessor pay double the value of what he has gained by detaining them. XII. LAW. If a slave has committed a robbery, or done any damage, with the privity and at the instigation of his master, let the master deliver up the slave to the person injured, by way of compensation.

TABLE III.—*Of Loans, and the Right of Creditors over their Debtors.*—I. LAW. Let him who takes more than one *per Cent.* interest for money, be condemned to pay four times the sum lent. II. LAW. When any person acknowledges a debt, or is condemned to pay it, the creditor shall give his debtor thirty days for the payment of it: after which he shall cause him to be seized, and brought before a judge. III. LAW. If the debtor refuses to pay his debt, and can find no security, his creditor may carry him home, and either tie him by the neck, or put irons upon his feet, provided the chain does not weigh above fifteen pounds; but it may be lighter, if he pleases. IV. LAW. If the captive debtor will live at his own expence, let him; if not, let him who keeps him in chains allow him a pound of meal a day, or more, if he pleases. V. LAW. The creditor may keep his debtor prisoner for sixty days. If in this time the debtor does not find means to pay him, he that detains him shall bring him out before the people three market-days, and proclaim the sum, of which he has been defrauded. VI. LAW. If the debtor be insolvent to several creditors, let his body be cut in pieces on the third market-day. It may be cut into more or fewer pieces with impunity: or if his creditors consent to it, let him be sold to foreigners beyond the Tyber.

TABLE IV.—*Of the Right of Fathers of Families.*—I. LAW. Let a father have the power of life and death over his legitimate children, and let him sell them when he pleases. II. LAW. But if a father has sold his son three times, let the son then be out of his father's power. III. LAW. If a father has a child born, which is monstrously deformed, let him kill him immediately. IV. LAW. Let not a son, whose father has so far neglected his education as not to teach him a trade, be obliged to maintain his father in want; otherwise let all sons be obliged to relieve their fathers. V. LAW. Let not a bastard be obliged to work to maintain his father.

TABLE V.—*Of Inheritances and Guardianships.*—I. LAW. After the death of a father of a family, let the disposition be made of his estate, and his appointment concerning the guardianship of his children, be observed. II. LAW. If he dies intestate, and has no children to succeed him, let his nearest relation be his heir; if he has no near relation, let a man of his own name be his heir. III. LAW. When a freedman dies intestate, and without heirs, if his patron be alive, or has left children, let the effects of the freedman go to the family of his patron. IV. LAW. After the death of a debtor, his debts shall be paid by his heirs, in proportion to the share they have in his inheritance. After this they may divide the rest of his effects, if they please, and the prætor shall appoint three arbitrators to make the division. V. LAW. If a father of a family dies intestate, and leaves an heir under age, let the child's nearest relation be his guardian. VI. LAW. If any one becomes mad, or prodigal, and has no body to take care of him, let a relation, or if he has none, a man of his own name, have the care of his person and estate.

TABLE VI.—*Of Property and Possession.*—I. LAW. When a man conveys his estate to another, let the terms of the conveyance create the right. II. LAW. If a slave, who was made free on condition of paying a certain sum, be afterwards sold, let him be set at liberty, if he pay the person who has bought him, the sum agreed upon. III. LAW. Let not any piece of merchandise, though sold and delivered, belong to the buyer, till he has paid for it. IV. LAW. Let two years' possession amount to a prescription for lands, and one for moveables. V. LAW. In litigated cases the presumption shall always be on the side of the possessor; and in disputes about liberty or slavery, the presumption shall always be on the side of liberty.

TABLE VII.—*Of Trespasses and Damages.*—I. LAW. If a beast does any damage in a field, let the master of the beast make satisfaction, or give up his beast. II. LAW. If you find a rafter or pole which belongs to you, in another man's house or vineyard, and it is made use of, do not pull down the house, or ruin the vineyard; but make the possessor pay double the value of the thing stolen; and when the house is destroyed, or the pole taken out of the vineyard, then seize what is your own. III. LAW. Whoever shall maliciously set fire to another man's house, or an heap of corn near his house, shall be imprisoned, scourged, and burnt to death. If he did it by accident, let him repair the damage: and if he be a poor man, let him be slightly corrected. IV. LAW. Whoever shall deprive another of the use of a limb, shall be punished according to the law of retaliation, if the person injured does not agree to accept some other satisfaction. V. LAW. If he has only dislocated a bone, let him pay three hundred pounds of brass if the sufferer be a freedman, and a hundred and fifty if he be a slave. VI. LAW. For common blows with the fist, and injurious words, the punishment shall be twenty-five asses of brass. VII. LAW. Whoever slanders another by words, or defamatory verses, and injures his reputation, shall be beaten with a club. VIII. LAW. Let him who has once been a witness, and refuses to bear witness again, though a public person, be deemed infamous, and made incapable of bearing witness any more. IX. LAW. Let every false witness be thrown down headlong from the capitol. X. LAW. Whoever shall wilfully kill a freeman, or shall make use of magical words to hurt him, or shall have prepared poison for him, or given it to him, shall be punished as an homicide. XI. LAW. Let all parricides be thrown into the river, sewed up in a leather-bag, and with their heads veiled. XII. LAW. The guardian who manages the affairs of his ward ill, shall be reprimanded; and if he be found to have cheated him, he shall restore double. XIII. LAW. A patron who shall have defrauded his client, shall be execrable.

TABLE VIII.—*Of Estates in the Country.*—I. LAW. Let the space of two feet and a half of ground be always left between one house and another. II. LAW. Societies may make what bye laws they please among themselves, provided they do not interfere with the public laws. III. LAW. When two neighbours have any disputes about their bounds, the prætor shall assign them three arbitrators. IV. LAW. When a tree planted in a field does injury to an adjoining field by its shade, let its branches be cut off fifteen feet high. V. LAW. If the fruit of a tree falls into a neighbouring field, the owner of the tree may go and pick it up. VI. LAW. If a man would make a drain, to carry off the rain-water from his ground to his neighbour's, let the prætor appoint three arbitrators, to judge of the damage the water may do, and prevent it. VII. LAW. Roads shall be eight feet wide, where they run straight, and where they



turn, sixteen. VIII. LAW. If a road between two fields be bad, the traveller may drive through which field he pleases.

TABLE IX.—*Of the Common Rights of the People.*—I. LAW. Let no privilege be granted to any person.—II. Let both debtors who are got out of slavery, and strangers who have rebelled, and returned to their duty, be restored to their ancient rights as if they had never offended. III. LAW. It shall be a capital crime for a judge or arbitrator to take money for passing judgment. IV. LAW. Let all causes, relating to the life, liberty, or rights of a Roman citizen, be tried only in comitia by centuries. V. LAW. Let the people appoint quæstors, to take cognizance of all capital cases. VI. LAW. Whoever shall hold seditious assemblies in the city, by night, shall be put to death. VII. LAW. Let him who shall have solicited a foreigner to declare himself against Rome, or shall have delivered up a Roman citizen to a foreigner, lose his life. VIII. LAW. Let only the last laws of the people be in force. (*i. e. let the last supersede all former ones, in the same case made and provided.*)

TABLE X.—*Of Funerals, and all Ceremonies relating to the Dead.*—I. LAW. Let no dead body be interred or burnt within the city. II. LAW. Let all costliness and excessive wailings be banished from funerals. III. LAW. Let not the wood, with which funeral piles are built be cut with a saw. IV. LAW. Let the dead body be covered with no more than three habits, bordered with purple; and let no more than ten players upon the flute be employed in celebrating the obsequies. V. LAW. Let not the women tear their faces, or disfigure themselves, or make hideous outcries. VI. LAW. Let not any part of a dead body be carried away, in order to perform other obsequies for the deceased, unless he died in war, or out of his own country. VII. LAW. Let no slaves be embalmed after their death; let there be no drinking round a dead body; nor let any perfumed liquors be poured upon it. VIII. LAW. Let no crowns, festoons, perfuming-pots, or any kind of perfume, be carried to funerals. IX. LAW. If the deceased has merited a crown in the public games, by any exploit of his own, or the expertness of his slaves, or the swiftness of his horses, let his panegyric be made at his funeral, and let his relations have leave to put a crown upon his head, as well during the seven days he remains in the house, as when he is carried to be buried. X. LAW. Let no man have more than one funeral made for him, or than one bed put under him. XI. LAW. Let no gold be used in obsequies, unless the jaw of the deceased has been tied up with a gold thread. In that case the corpse may be interred or burnt with the gold thread. XII. LAW. For the future, let no sepulchre be built, or funeral pile raised within sixty feet of any house, without the consent of the owner of the house. XIII. LAW. Prescription shall never be pleaded against a man's right to his burial place, or the entrance to it.

(*b*) The *comitia centuriata* were instituted by Servius Tullius; who obliging every one to give a true account of what they were worth, according to those accounts divided the people into six ranks, or classes, which he subdivided into one hundred and ninety-three centuries. The first class, containing the equites and richest citizens, consisted of ninety-eight centuries. The second, taking in the tradesmen and mechanics, made up two and twenty centuries. The third, the same number. The fourth, twenty. The fifth, thirty. And the last, filled up with the poorer sort, had but one century.

And this, though it had the same name with the rest, yet was seldom regarded, or allowed any power in public matters. Hence it was a common thing with

the Roman authors, when they speak of the classes, to reckon no more than five, the sixth not being worth their notice. This last classis was divided into two parts or orders, the *proletarii*, and the *capite censi*. The former, as their name implies, were designed purely to stock the commonwealth with men, since they could supply it with so little money. And the latter, who paid the lowest tax of all, were rather counted and marshalled by their heads, than their estates.

Persons of the first rank, by reason of their pre-eminence, had the name of *classici*; whence came the phrase of *classici authores*, for the most approved writers. All others, of what classis soever, were said to be *infra classem*.

The assembly of the people by centuries was held for the electing of consuls, censors, and prætors; as also for the judging of persons accused of what they called *crimen perduellionis*, or actions by which the party had shewed himself an enemy to the state; and for the confirmation of all such laws as were proposed by the chief magistrates, and which had the privilege of calling these assemblies.

The place appointed for their meeting was the Campus Martius; because in the primitive times of the commonwealth, when they were under continual apprehensions of enemies, the people to prevent any sudden assault, went armed, in martial order, to hold these assemblies; and were for that reason forbid by the laws to meet in the city, because an army was upon no account to be marshalled within the walls: yet in the latter ages, it was thought sufficient to place a body of soldiers as a guard in the janiculum, where an imperial standard was erected, the taking down of which denoted the conclusion of the comitia.

Though the time of these comitia for other matters was undetermined; yet the magistrates, after the year of the city 601, when they began to enter on their place on the calends of January, were constantly designed about the end of July, and the beginning of August.

All the time between their election and confirmation, they continued as private persons, that inquisition might be made into the election, and the other candidates might have time to enter objections, if they met with any suspicion of foul dealing. Yet at the election of the censors, this custom did not hold; but as soon as they were pronounced elected, they were immediately invested with the honour.

By the institution of these comitia, Servius Tullius secretly conveyed the whole power from the commons: For the centuries of the first and richest class being called out first, who were three more in number than all the rest put together, if they all agreed, as generally they did, the business was already decided, and the other classes were needless and insignificant. However the three last scarce ever came to vote.

The commons, in the time of the free state, to rectify this disadvantage, obtained, that before they proceeded to voting any matter at these comitia, that century should give their suffrages first, upon whom it fell by lot, with the name of *centuria prærogativa*, the rest being to follow according to the order of their classes. After the constitution of the five and thirty tribes, into which the classes and their centuries were divided, in the first place, the tribes cast lots, which should be the prerogative-tribe; and then the centuries of the tribe, for the honour of being the prerogative-century. All the other

tribes and centuries had the appellation of *jure vocata*, because they were called out according to their proper places.

The prerogative century being chose by lot, the chief magistrate sitting in a tent in the middle of the Campus Martius, ordered that century to come out and give their voices; upon which they presently separated from the rest of the multitude, and came into an enclosed apartment, which they termed *septa*, or *ovilis*; passing over the pontes, or narrow boards, laid there for the occasion; on which account, *de ponte defici* is to be denied the privilege of voting, and persons thus dealt with are called *depontani*.

At the hither end of the pontes, stood the *diribitores* (a sort of under-officers, called so from dividing or marshalling the people) and delivered to every man, in the election of magistrates, as many tablets as there appeared candidates, one of whose names was written upon every tablet.

A fit number of great chests were set ready in the *septa*, and every body threw in which tablet he pleased.

By the chests were placed some of the public servants, who taking out the tablets of every century, for every tablet made a prick, or a point, in another tablet which they kept by them. Thus the business being decided by most points, gave occasion to the phrase of *omne tulit punctum*, and the like.

The same method was observed in the judiciary processes at these comitia, and in the confirmation of laws; except that in both these cases only two tablets were offered to every person, on one of which was written U. R. and on the other A. in capital letters; the two first standing for *uti rogas*, or, *be it as you desire*, relating to the magistrate who proposed the question; and the last for *antiquo*, or, *I forbid it*.

It is remarkable, that though in the election of magistrates, and in the ratification of laws, the votes of that century, whose tablets were equally divided signified nothing; yet in trials of life and death, if the tablets *pro* and *con* were the same in number, the person was actually acquitted.

(a.) TABLE XL.—*Of the Worship of the Gods, and of Religion*.—I. LAW. Let all persons come with purity and piety to the assemblies of religion, and banish all extravagance from thence. If any one does otherwise may the gods themselves avenge it. II. LAW. Let no person have particular gods of his own; or worship any new or foreign ones in private, unless they are authorised by public authority. III. LAW. Let every one enjoy the temples consecrated by his fore-fathers, the sacred groves in his fields, and the oratories of his lares. And let every one observe the rites used in his own family, and by his ancestors, in the worship of his domestic gods. IV. LAW. Honour the gods of heaven, not only those who have always been esteemed such, but those likewise whose merit has raised them thither, as Hercules, Bacchus, Æsculapius, Castor, Pollux, and Romulus. V. LAW. Let those commendable qualities, by which heroes obtained heaven, be ranked among the gods, as understanding, virtue, piety, fidelity; and let temples be erected to them. But let no worship ever be paid to any vice. VI. LAW. Let the most authorised ceremonies be observed. VII. LAW. Let law-suits be suspended on festivals; and let the slaves have leave to celebrate them after they have done their work. That it may be known on what days they fall, let them be set down in the calendars. VIII. LAW. Let the priests offer up in sacrifice to the gods, on certain days, the fruits of the earth, and berries: and on other days abundance of milk, and young victims. For fear this ceremony should be omitted, the priests shall

end their year with it. Let them likewise take care to choose for every god, the victim he likes. Let there be priests appointed for some gods, flamines for others, and pontifices to preside over them all. IX. LAW. Let no woman be present at the sacrifices which are offered up in the night, except at those which are made for the people, with the usual ceremonies. Nor let any one be initiated in any mysteries brought from Greece, but those of Ceres. X. LAW. If any one steals what belongs, or is devoted to the gods, let him be punished as a parricide. XI. LAW. Leave perjury to be punished with death by the gods, and let it be punished with perpetual disgrace by men. XII. LAW. Let the pontifices punish incest with death. XIII. LAW. Let every one strictly perform his vows: but let no wicked person dare to make any offerings to the gods. XIV. LAW. Let no man dedicate his field to the service of the altar; and let him be discreet in his offerings of gold, silver, or ivory. Let no man dedicate a litigated estate to the gods: if he does, he shall pay double the value of it to him whose right it shall appear to be. XV. LAW. Let every man constantly observe his family-festivals. XVI. LAW. Let him who hath been guilty of any of those faults, which make men execrable, and are not to be atoned for, by expiations, be deemed impious. But let the priest expiate such as are to be expiated.

TABLE. XII.—*Of Marriages and the Right of Husbands.*—I. LAW. When a woman shall have cohabited with a man for a whole year, without having been three nights absent from him, let her be deemed his wife. II. LAW. If a man catches his wife in adultery, or finds her drunk, he may, with the consent of her relations, punish her even with death. III. LAW. When a man will put away his wife, the form of doing it shall be by taking from her the keys of the house, and giving her what she brought. This shall be the manner of a divorce. IV. LAW. A child born of a widow, in the tenth month after the decease of her husband, shall be deemed legitimate. V. LAW. It shall not be lawful for the patricians to intermarry with the plebeians.

SECTION. LV. (a) The division of the people into tribes, was an invention of Romulus, after he had admitted the Sabines into Rome; and though he constituted at that time only three, yet as the state increased in power, and the city in number of inhabitants, they rose by degrees to five and thirty. For a long time after this institution, a tribe signified no more than such a space of ground with its inhabitants. But at last the matter was quite altered, and a tribe was no longer *pars urbis*, but *civitatis*; not a quarter of the city, but a company of citizens living where they pleased. This change was chiefly occasioned by the original difference between the tribes in point of honour. For Romulus having committed all sordid and mechanic arts to the care of strangers, slaves and libertines, and reserved the more honest labour of agriculture to the freemen and citizens, who by this active course of life might be prepared for martial service; the *tribus rusticæ* were for this reason esteemed more honourable than the *urbanae*: and now all persons being desirous of getting into the more creditable division, and there being several ways of accomplishing their wishes, as by adoption, by the power of the censors, and the like; that rustic tribe, which had most worthy names in its roll, had the preference to all others, though of the same general denomination. Hence all of the same great family, bringing themselves by degrees into the same tribe, gave the name of their family to the tribe they honoured; whereas at first, the generality of the tribes did not borrow their names from persons but from places.

The first assembly of the tribes we meet with is about the year of Rome 263, convened by Sp. Sicinius, tribune of the commons, upon account of the trial of Coriolanus. Soon after the tribunes of the commons were ordered to be elected here; and at last all the inferior magistrates and the collegiate priests. The same comitia served for the enacting of laws relating to war and peace, and all others proposed by the tribunes and plebeian officers, though they had not properly the name of *legis*, but *plebiscita*. They were generally convened by the tribunes of the commons; but the same privilege was allowed to all the chief magistrates.

They were confined to no place, and therefore sometimes we find them held in the comitium, and sometimes in the Campus Martius, and now and then in the capitol.

The proceedings were, in most respects answerable to those already described in the account of the other comitia, and therefore need not be insisted on; only we may farther observe of the comitia in general, that when any candidate was found to have most tablets for a magistracy, he was declared to be designed or elected by the president of the assembly; and this they termed *renunciari consul, prætor*, or the like: and that the last sort of the comitia only could be held without the consent and approbation of the senate, which was necessary to the convening of the other two.

(b) The commons had no sooner prevailed with the senate to confirm the office of tribunes, than they obtained farther the privilege to chuse yearly, out of their own body, two more officers, to assist those magistrates in the discharge of some particular services, the chief of which was the care of public edifices, whence they borrowed their name. Rofinus, for distinction's sake, calls them *ædiles plebis*. Besides the duty mentioned above, they had several other employments of lesser note; as to attend on the tribunes of the people, and to judge some inferior causes by their deputation; to rectify the weights and measures, prohibit unlawful games, and the like.

A. U. C. 389, two more ædiles were elected out of the nobility, to inspect the public games. They were called ædiles curules, because they had the honour of using the *sella curulis*; the name of which is generally derived *a curru*, because they sat upon it as they rode in their chariots; but Lipsius fancies it owes its name, as well as its invention, to the Curetes, a people of the Sabines.

The curule ædiles, besides their proper office, were to take care of the building and reparation of temples, theatres, baths, and other noble structures; and were appointed judges in all cases relating to the selling or exchanging of estates.

Julius Cæsar, A. U. C. 710, added two more ædiles out of the nobility, with the title of ædiles cereales, from Ceres; because their business was to inspect the public stores of corn and other provisions; to supervise all the commodities exposed in the markets, and to punish delinquents in all matters concerning buying and selling.

SECTION LXV. (a) Mutinous.

SECTION LXVI. (a) The Romans were often called *wolves* by their enemies, either in allusion to Romulus's being suckled by a wolf, or to the warlike genius of that nation, who, in imitation of that rapacious animal, as it were preyed on the nations round it.

SECTION LXIX. (a) The original of the question (*a quærendo*, from collecting the revenues of the state) Dionysius and Livy place about A. U. C. 289.

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Plutarch, indeed, with some small difference, refers their institution to the time of Valerius Poplicola, when he allotted the temple of Saturn for the treasury (to which use it always served afterwards,) and granted the people the liberty of choosing two young men for the treasurers. This was the whole number at the beginning: But afterwards, two others were created, A. U. C. 332, to take care of the payment of the armies abroad, of the selling plunder and booty, &c. For which purpose they generally accompanied the consuls in their expeditions; and upon this account were distinguished from the other quæstors, by the name of Peregrini, and gave them occasion to assume the title of Urbani. This number continued till the entire conquest of Italy; and then it was again doubled, A. U. C. 439. The four that were now added had their residence with the proconsuls and prætors in the provinces, where they employed themselves in regulating the taxes and customs due from thence to the state. Sylla the dictator, as Tacitus informs us, created twenty quæstors, to fill up the senate; and Dio mentions the creating of forty by Julius Cæsar upon the same design.

The chief offices of the quæstors were the receiving, lodging, and carrying out ambassadors; and the keeping the decrees of the senate was appointed them by Augustus, which before had been under the care of the ædiles and tribunes.

From hence came the two offices of quæstor principia, or augusti, called sometimes *candidatus principis*, described by Brissonius, and resembling the office of secretary of our state; and quæstor palatii, instituted by Constantine the Great; answering in most respects to the place of the lord chancellor amongst us. Perhaps we ought not here to make a distinction of offices; the quæstors candidati being honoured by Constantine with the new title of quæstors palatii, and admitted to greater trust, and more important business.

The quæstorship was the first office any person could bear in the commonwealth, and might be undertaken at the age of twenty-five years.

## NOTES ON THE FOURTH BOOK.

(SECTION I. (a) Verrugo was a city belonging to the Volsci, and bordered upon the dominions of the Æqui. It was situated between Cora and Algidum, and to the north of Velitræ. Diodorus Siculus, lib. 14, calls it Erruca, and in some copies of Valerius Maximus it is, probably by mistake, called Ferrugo. With respect to the time when the Romans took it from the Volsci, Livy is quite silent, as Glacianus has observed; but it is probable they made themselves masters of it at the same time they took Velitræ, in the year of Rome 260, and consulship of Aulus Virginius and T. Vetusius, or in the next year when they took Corioli, of which see Livy, lib. 2, sect. 30, 33. But it is not necessary to suppose it was at all taken from the Volsci by the Romans; it might have been only a town to which the armies of both nations had access, which supposition will sufficiently account for all that our author advances here concerning it.

(b) Most commentators suppose these words to be understood of the Roman patricians, but Monsieur Crévier, the author of a late beautiful edition of Livy, in six volumes 4to, and upon his authority Monsieur Guérin, in his French translation of this author, apply them to the Volsci and Æqui. We have taken them in the first sense, not only because it is the most generally received,

but also because it seems to depend upon the most obvious and natural construction of the words of the original, yet we have thought proper to take notice of this here, that the ingenuous reader may have recourse to the original, and judge for himself.

SECTION II. (a) There are several different readings of this sentence, and therefore Glacianus, Rhenanus, Sigonius, Gronovius, and other commentators, differ in their sentiments about it. We have followed the reading of Dujatius, who substitutes *utrum* instead of *ut* in Gronovius's emendation of this place; as most agreeable to the author's scope. 'Tis true, it is not pretended that this reading is supported by any edition or manuscript, but all the emendations of other authors, which yield a tolerable sense, are liable to the same objection.

(b) Not only did the Romans consult the birds, about momentous affairs of the republic, such as the election of kings, consuls and other officers of state, but in the most important of their private concerns, as appears from the testimony of Valerius Maximus, lib. 2. sect. 1. "Of old," says he, "no affairs of state were attempted, nor any private affairs of importance transacted, without first taking the auspices." *Apud antiquas non solum publicæ, &c.* This gave rise to the distinction of public and private auspices. In both cases the patricians pretended that their order only had a right to observe them: and from this concluded, that their intermarrying with the plebeians would introduce a confusion in the auspices. Our author seems elsewhere to justify them in this claim, but the plebeians were so far from acknowledging it, that they resented it as a most impudent pretence.

(c) By the institution of Romulus every family had sacrifices peculiar to itself, and particular rites of burial, which were annexed to the family and all descended of it. Of this our author gives a remarkable instance lib. 5, sect. 46. Those who desire a fuller account of the matter may consult Cicero de Legibus lib. 2.

SECTION III. (a) From a transient view of the words in the original, one would be apt to conclude, that Canuleius's speech was pronounced before the senate in answer to the preceding representation of the consuls; but if we take a nearer view of it, we shall soon find that it was addressed to an assembly of the people, and spoken at the same time the consuls were haranguing the senate; for the only speech which Canuleius had in the senate upon this subject was very short, and we have it in the end of section the first. He had no sooner pronounced it than he called an assembly; and as we are told sect. 2. endeavoured to excite the people against the consuls at the same time the consuls were exposing him before the senate. Besides, through this long speech he addresses himself to the people, not to the fathers, and mentions things done in the senate in such terms as he would not have used had he been in the senate house at that time.

(b) The Roman fasti were of two kinds, one, which, in a strict and proper sense has the name of calendar, containing an account of the auspicious and inauspicious festival and work days. Of this sort were the fasti of Cn. Flavius Scriba, which are described lib. 9, sect. 46; another, wherein was recorded the names of the magistrates, and the most memorable transactions of every year, such were the fasti capitolini, fasti Siculi, &c. The commentarii here mentioned, which we have translated records, were these annals, wherein the priests wrote short histories of the transactions of their own times, according to the account we have, lib. 6, sect. 1, wherein these commentarii pontificum

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are reckoned among the historical records of Rome. All these were carefully kept from the knowledge of the people, and committed to the care of the priests, as we are informed by several authors, particularly Cicero de Oratore, n. 52. And the priests were elected out of the number of the patricians, from the reign of Numa to the consulate of Q. Apuleius Pansa, and M. Valerius Corvus, that is the year of Rome 454, which was 145 years after the consulship of M. Genucius and C. Curtius, against whom Canuleius inveighs in this harangue.

SECTION IV. (a) Ulpian the lawyer, from Junius Gracchanus, tells us, that Romulus and Numa Pompilius had quæstors, or at least that these officers were instituted before the end of Tullus Hostilius's reign: Tacitus also informs us, that they were instituted during the regal state of Rome, and after the expulsion of kings, re-established by L. Junius Brutus, adding that the consuls had the privilege of naming them, and which our author takes no notice of, that Valerius Potus, or rather Potitus, were the first quæstors chosen by the people to attend upon military affairs, and give their assistance therein, in the sixty-third year of the consular state, or from the expulsion of the Tarquins. Lipsius proves that he has mistaken the time of this election, and is of opinion, that instead of the 63d he should have said the 23d year, which coincides with the year of Rome 267. After which both Livy and Dionysius Halicarn. make frequent mention of quæstors. Whence it appears that Canuleius in this place must be understood of those quæstors, who were annually created to attend upon military affairs.

(b) There were two sorts of banishment in use among the Romans, which they called *religatio* and *exilium*. Those who were condemned to the first, which is that mentioned in this place, were still understood to remain citizens of Rome, but the last sort deprived those who were sentenced to it of all privileges of this kind, and was the same with the *aqua & ignis interdictio*.

SECTION VII. (a) Some think that the first military tribunes with consular power were elected A. U. C. 309, towards the end of the consulship of M. Genucius and C. Curtius, and entered upon the exercise of their office in the year 310. It is more probable, that they were elected in 310, as Livy asserts, and entered upon their office in 311; but because their administration expired within three months, that year is not denominated from them, but the consuls who were chosen to succeed them: see Henry Dodwell's tenth dissertation de Cyclis & Chron. Dionysiana. Zonaras asserts, that they were elected in the third year of the eighty-fourth olympiad, when Diphilus was archon of Athens, therefore not in the year of M. Genucius and C. Curtius's consulship, but during the administration of their immediate successors in office.

(b) Among other solemnities of the comitia by centuries, particular care was taken that the magistrate who was to hold the comitia, after sacrifice and taking the auspices, together with the augur within the pomerium, should go out of the city, take possession of his tent, as a general of the Roman army, and sit down in it to observe the birds a second time, while the citizens followed him in arms, with colours displayed, and ranged according to their respective centuries. But he was thought to commit an informality in taking possession of his tent, if before he passed the Pomerium he did not consult the birds, or if they did not give a favourable omen, in which case all that was done was of no effect; and the augurs determined that magistrates created with such informalities should abdicate their office, as we are informed by Dion. Halicarn. lib. 2. Cicero lib. 3. de legibus and lib. 2. de divinatione,



Dion. lib. 87, and Plutarch in his life of Marcellus. Some think that by taking possession of the tent here, we are to understand his designing the space of the heavens within which he was to look for a favourable omen. Of this opinion is Jacopo Nardi, the author of an Italian translation of Livy.

(c) An ancient writer, often quoted by Livy, Vossius lib. 1. de historicis latinis, thinks he is the same with that Licinius, who, to prevent his being condemned for bribery and extortion by Cicero when prætor, laid violent hands on himself: he was in Cicero's opinion a considerable orator himself, and father of that remarkable one Licinius Calvus. Be that as it will, this Licinius of whom our author speaks, was certainly an ancient historian of considerable note, as appears from b. 7, sect. 9.

(d) Though the ancients commonly wrote on waxed tablets and parchment, yet they also made use of other things instead of paper, and even cloth was applied to these purposes. For this we have the testimony of Pliny lib. 13, cap. 11. *In palmarum foliis primo scriptitatum*, &c. "They wrote at first," saith he, "on palm leaves, afterwards on the rinds of some sorts of trees, next public records began to be wrote on sheets of lead, and some time after private writings were committed to linen cloth or wax." To this Ausonius alludes in his twenty-third epist.

— *per licia texta querelas*

*Edidit & tacitis mandavit crimina chartis.*

Books of this kind are the same with what Martianus Capella, lib. 2. de nuptiis philologiæ, calls *carbasina volumina*.

(e) The temple of Juno Moneta stood in the citadel, on the spot where the palace of M. Manlius Capitolinus has been built. See a further account of it b. 7, sect. 28.

SECTION VIII. (a) The word is derived from *censere*, because the censors assessed and valued every man's estate, and ranked them in their proper centuries, that the Romans might know their strength; though others think the denomination is taken from the other part of the censor's office, whereby they were, as it were, comptrollers and correctors of manners and policy. Lipsius divides the duty of this office into two heads; the survey of the people and the censure of manners. As to the former, they took an exact account of the estates and goods of every person, and accordingly divided the people into their proper classes and centuries. Besides this they took care of the public taxes, and made laws in reference to them. They were inspectors of the buildings and ways, and defrayed the charges of such sacrifices as were made upon the common account. With respect to the latter part of their office, they had the power to punish an immorality in any person of what order soever. The senators they might expel the house, which was done by omitting such a person when they called over the names. The equites or knights they punished by taking away the horse allowed them at the public charge. The commons they might either remove from a higher tribe, to a less honourable, or quite disable them to give their vote in the assemblies, or set a fine upon them to be paid into the treasury. And sometimes, when a senator or knight had been guilty of any notorious irregularity, he suffered two of these punishments, or all three at once. The greatest part of the censor's public business was performed every fifth year, when, after the survey of the people, and inquisition into their manners, taken anciently in the forum, and afterwards in the villa publica, the censors made a solemn lustration, or expiatory sacrifice

in the name of all the people. The sacrifice consisted of a sow, a sheep and a bull, whence it took the name of *suove taurilia*, the ceremony of performing it they called *lustrum condere*, and upon this account the space of five years came to be signified by the word *lustrum*. It is very remarkable, that if one of the censors died, nobody was substituted in his room till the next *lustrum*, and his partner was obliged to quit his office, because the death of a censor happened just before the sacking of Rome by the Gauls, and was ever after accounted highly ominous and unfortunate. After the second Punic war, they were always created out of such persons as had been consuls, though it sometimes happened otherwise before. Their station was reckoned more honourable than the consulship, though their authority, in matters of state, was not so great, and the badges of the two offices were the same, only the censors were not allowed the lictors to walk before them, as the consuls had. This office continued no longer than to the time of the emperors, who performed the same duty at their pleasure; and the Flavian family, that is, Vespasian and his sons, took a pride to be called censors, and put that among other titles upon their coin. Decius the emperor entered on a design of restoring the honour to a particular magistrate, as heretofore, but without success.

SECTION IX. (a) The Ardeates very nearly resembled the Romans in their party spirit and disputes with their nobility, their rising up in arms, marching out of their city and possessing themselves of an adjacent hill; but the difference, which Livy takes notice of, consisted in this, that the Ardeates carried their resentment against their nobility so far as to lay waste their lands with fire and sword; whereas the Roman people, all the time of their two secessions, when they encamped upon the sacred mount, behaved with such moderation towards their nobility, that no patrician's person was insulted, nor his estate ravaged.

(b) This seems not to be the first time the Æqui supplied the Volsci with generals, for this Cluilius seems to have been of the same family with Gracchus Cluilius, who besieged the consul Minucius, and was afterwards delivered up to T. Quinctius Cincinnatus, lib. 3, sect. 28, the names of Cluilius and Clœlius being so nearly allied, that it is very probable they were originally the same.

(c) The particular works here intended are called *brachia* or arms, and seem to have been pretty much of the nature of those which are now named lines of communication. Lucan gives a description of them in the following verses,

—*fontesque et pabula campi*

*Amplexus fossa, densas tollentia pinnas*

*Cespitibus crudaque extruxit brachia terra.*

They were called *brachia* or arms, for the same reason that some parts of the sea are thus named, viz. because they were bent in the form of an arm.

SECTION XII. (a) At the time of the common-wealth this officer was extraordinary, and created only upon particular occasions, when the price of grain rose high, and the city laboured under scarcity of provisions; and thus the matter continued till the reign of Augustus, who made the *præfectus frumenti*, or superintendent of provisions, be constant and ordinary magistrates, because there was frequent occasion for distributing corn among the people, and therefore of a proper person to inspect and regulate these distributions.

SECTION XV. (a) The sons of the first consul Brutus, who were beheaded for their concern in the conspiracy to re-establish the Tarquin family on the

Roman throne, were not, strictly speaking, the nephews of a king; for Brutus himself was the son of Tarquinia, the daughter of Tarquinius Priscus, and sister, or rather aunt of Tarquin the Proud, so that his sons must have been the great grandchildren of Tarquinius Priscus, and at most the grandsons of of Tarquin the Proud's sister: but it is not uncommon, under the appellation of sons, to comprehend grandsons and other more remote descendants.

SECTION XVI. (a) *i. e.* The house of Mælius levelled with the ground, the place so named was situated near the wool shops between Velabeum and the capitol.

(b) Pliny lib. 18. cap. 8. and lib. 54. cap. 5. says this was a statue which was erected to Minucius at the expence of the people, as a testimony of their gratitude to him for the distribution he had made of Mælius's corn among them. But Valerius Maximus lib. 2. and Ammianus Marcellinus lib. 14. assert, that there was no gilt statue ever seen in Italy, before that which M. Acilius Glabrio erected to his father, was in the year of Rome 562, and therefore 244 after this date. Lipsius and Gronovius are of opinion, that by the negligence of transcribers the text of Livy has been corrupted in this place, and *bove aurato* has crept into it, instead of *bove et arvo* or *agro*; so that, according to them, our author's true meaning is, that Minucius was presented with an ox and field, lying without the porta Trigemina, which, considering the great pleasure the Romans had in husbandry, is a very plausible thought: but as this reading is not directly countenanced by any manuscript or printed copy, we have not ventured to depart from the reading generally received.

(c) Also called the porta Ostiensis, because the via Ostia passed through it. It lay between mount Aventine and mount Cælius, and is now called Porta di san Paolo.

(d) The Roman modius or bushel contained sixteen sextaries, and was a third part of an amphora, amounting to a peck and a half of English measure; so that when we are told that Minucius distributed corn at an *as* the bushel or modius, it is the same as if it had been said, he sold it for three farthings one tenth each peck and a half, supposing Livy to compute money according to the value it had in his own time.

(e) The Roman nobility used to preserve the memory of their ancestors, by carefully keeping their statues or pictures in their house; and, to procure the greater respect to the family, it was not uncommon in the inscriptions upon these statues and pictures, to ascribe to the persons they represented honours they never deserved, and actions which they never performed; a practice of which our author complains much, lib. 8. and supposes in this place that the notion of Minucius's having been a tribune of the people, had taken its rise from a fraud of this kind.

SECTION XVII. (a) Lar or Lars is thought to have been an honorary title given in common to the kings of Heturia, who were elected only once by the suffrages of the twelve nations inhabiting that country, at the temple of Voltumna, and enjoyed that honour during life; whereas the lucumos or dictators of the several nations were only annual magistrates, and returned to a private station when that period was out. See lib. 1, sect. 8.

SECTION XVIII. (a) Among the twelve states of Heturia, the Falisci were far from being the most inconsiderable. They were descended from a colony of the Argives, who had settled in that country, under the conduct of Halesus, who is generally thought to have been the son of Agamemnon. Their capital city was Falerii or Falerium; though Strabo makes a distinction between Fa-

liscum and Falerium, as if they had been two different cities; wherein he is followed by Solinus, who calls the one Falisca and the other Falerii: but these two are supported, in this, by no other ancient writers, at least Livy and other Roman historians always call the city Falerii, and the inhabitants and territory belonging to them Falisci. Virgil and others gave them the epithet of *Æqui*, or *Iust*, because, says Servius, "the Romans, after they had reduced the power of the decemviri, got from them their jusfeciale or laws of heralds, and some supplements to the twelve tables of laws, which they had had originally from the Athenians." But it is certain the Romans had their jusfeciale, long before the time of the decemviri, if we will give credit to the testimony of Dionysius lib. 2. who assures us they got it from the *Æqui* or *Æquicoli*, whose country lay on this side of the Tiber, in the reign of Ancus Martius. Nor is it very probable, that a people of Italy, descended from the Argives, would have sought a body of laws from the Athenians. The Falisci had, at different times, two cities named Falerii, distinguished by the epithets of old and new. Old Falerii was a strong place, situated upon an eminence near the Tiber, on the same spot where now stands Civita Castellana, and was demolished by Manlius Torquatus. New Falerii was afterwards built on a plain, and if we may believe Holstenius, who, in this particular is not contradicted by Cluverius, its ruins retain its ancient name, and are now called Falari: but Antonius Massa, in his book de origine & rebus Faliscorum, says, that his native city Galese stands in the same place with the ancient town of Falerii.

SECTION XIX. (a) Not with consular power, for there were no such officers this year, but a legionary tribune, who had the command of a cohort, which was a particular division of a legion, and contained about five or six hundred men; so that a military tribune had a command much like that of a colonel in our army, or a *maitre de camp* among the French. This office owed its name and origin to the institution of Romulus, when he chose three officers in chief of that description from the three tribes into which he divided his city; the number afterwards increased to six in every legion. They were at first created by the kings, and afterwards, for some time, by the consuls, till about the year of Rome 393, when the people assumed this right to themselves; and though in the war with Perseus, king of Macedon, this privilege was regained by the consuls, yet we find that in the very same war it quickly returned to the people. It is probable, that soon after they divided this power between them, one half of the tribunes being assigned by the consuls, and the other half elected by the people. The former were named Rutuli or Rufuli, from one Rutilius Rufus, who preferred a law in their favour, and the other comitii; because they obtained their command by the public votes in the comitia. They decided all controversies in the army, gave the word to the watch, had the care of the works and camp; and several other things which we may afterwards have occasion to mention. They had the privilege of wearing a gold ring in the same manner as the equites; and because their office was extremely coveted, to encourage and promote as many as possible, their command lasted but six months. For the knowledge of both these customs we are beholden to one verse of Javolen, Sat. 7, ver. 89.

*Semestri vatum digitos circumligat auro.*

(b) The expression in the original is *corona defendit*, i. e. disposed his men along the whole compass of the lines, and doubled their ranks, as far as his numbers would allow it, that in this order his soldiers might appear like a garland or chaplet round the whole camp. It is much more common in classical

authors to meet with the expression, *urbem aut castra corona cingere aut oppugnare* signifying an enemy's quite surrounding a place by his army, with design to storm it on all sides at once, than that of *corona defendere*, which Livy makes use of in this place; but the one sufficiently explains the other.

(c) The Roman camp was four square, divided into two chief partitions, the upper and the lower; and between these two was included a spot of ground about an hundred feet in length, which they called the *principia*, probably so named from the principes, or legionary soldiers of the second order, (who encamped near it; where the altars and statues of the gods, and, perhaps, the chief ensigns were fixed altogether. This camp had also four gates, the prætorian gate in the front, the *porta decumana* or back gate in the rear, the *dextra principalis*, which is that mentioned in this place, on the right, and *læva principalis*, on the left. The two latter having both their names from the *principia*, which lay directly between them.

SECTION XX. (a) Among others he built the temple of Jupiter Tonans or the Thunderer on the capitol, the temple of Mars Ultor or the Revenger, the temple of Apollo in Palatium, and others under borrowed names, as we learn from Sueton. cap. 29. Servius asserts, that he dedicated the temple of Janus Quadrifrons: he repaired many which were decayed, preserving the names of their first founders, that of Jupiter Feretrius in particular; and besides what works of this kind were performed at his own charge, he often advised the great and rich men of his own times to exert themselves in adorning the city with public works.

SECTION XXII. (a) The villa publica was a palace erected in the campus Martius for several public uses, for there the ambassadors from foreign states, who were not allowed to enter the city, were received and entertained, the census, which for several ages had been taken in the open field, after the building of this fabric, was performed in it. And Varro, in his third book de re rustica, informs us, that among other uses of the villa publica, it was the place where the Roman cohorts attended the consuls when they were to recruit the army, and had their arms visited by them. Livy takes notice of the censors visiting this villa publica after it was built, because it was one branch of their office to visit all the public buildings as soon as they were finished, and approve or disapprove of them as they found reason, and they could not be put to use till this was done.

SECTION XXIII. (a) The assemblies of all the different nations of Hetruria were held at this place, as the Latine states had their general assemblies at the head of the spring of Ferentinum. The goddess, to whom this temple was dedicated, is called by some authors Voltumna, by others Vulturna, and by Gyraldus Vertuna, who also asserts, that she was particularly worshipped by the Hetrurians: be this as it will, the temple stood in the place where the city of Viterbo is now situate, in the middle between Cære, Veii, Falerii, Volsinii, the principal cities of the southern part of Hetruria, and therefore very convenient for holding such assemblies.

SECTION XXIV. (a) We have already observed concerning the censors, that they had power not only to remove a Roman from a higher tribe or class to one less honourable, but also to disable him quite to give his vote in the assemblies, or to set a fine upon him to be paid to the treasury; and when the two last were joined together, the person so censured was said *æarius fieri*, or to become tributary to the treasury, which is the expression our author uses concerning

Æmilius in this place, and understood to retain nothing of a citizen, but the disadvantage of contributing, much beyond his proportion, to the support of the state: for he was not only deprived of his voice in the comitia, and all share in the government of the city, but also obliged to serve in the wars without pay; but Æmilius did not continue long under this severe censure.

SECTION XXV. (a) Those who solicited for any office or preferment among the Romans, used to go about courting the favour of the people, and were clothed in white gowns, from whence they had the title of candidates. This custom determined Rhenanus to join two words in the text of Livy, in this place, into one, and instead of *in vestimentum*, to read *investimentum*, which he contends is a genuine Latin word, and supposes the meaning of this law to be, that no person in suing for an office should use a white upper garment, or a white gown over their other clothes. In this he is followed by Hottoman Gifanias and several others. But as this seems not to be consistent with the Roman method of clothing, not to mention other objections, Lipsius, who is, in this, supported by Gronovius, divides Rhenanus's *investimentum* into two words, and thinks the meaning of the bill proposed by the tribunes was, that no person who should stand candidate for an office, should for the future use arts to make their gowns appear whiter than ordinary, which it seems was then a common practice. For the gowns used by the Romans in general, but especially of those who bore offices in the state, were commonly white; whence, in Juvenal, we meet with this expression—*niveosque ad fraena Quirites*: but those who put up for employments, not satisfied with that whiteness, which was nothing but the natural colour of the wool, used arts to make it brighter, by chalk, and perhaps other such means. Whence we read in Persius of "*cretata ambitio*," or suing for places of honour in the state, all smeared with chalk; and Polybius calls this gown which the candidates used, not simply a white, but a shining or glittering robe. But whatever be in this, it is not easy to imagine, what advantage the passing of this law could give the plebeians, or how it could hurt the patricians, except it could be made appear that it was the peculiar privilege of the latter to appear in these white robes when they put up for offices, and that the commons could not use them upon these occasions.

SECTION XXVI. (a) As this was a law among the Volsci and Æqui, it is not so easy to come to the knowledge of it as if it had been a Roman constitution; however some are of opinion that by it, those who upon some particular exigencies of the state refused to enlist themselves, or serve in the war, were devoted to destruction, and offered up as sacrifices to the infernal gods.

(b) There were many legal excuses which might keep persons from the list; as, in case they were fifty years old, for then they could not be obliged to serve; or if they enjoyed any civil or sacred office, which they could not conveniently leave; or if they had already made twenty campaigns, which was the time required for every foot soldier; or if upon account of extraordinary merit, they had been by public authority released from the trouble of serving for such a time; or if they were maimed in any part, and so ought not to be admitted into the legions; as Seutonius tells us of a father, who cut off the thumbs of his two sons, on purpose to keep them out of the army. And Valerius Maximus lib. 6, cap. 3, gives a relation of the like nature. Otherwise they were necessitated to submit; and in case of a refusal, were usually punished either with imprisonment, fine, or stripes, according to the lenity or severity of the consul. And therefore it seems strange that Machiavel should particu-

larly commend the Roman discipline, upon account of forcing no one to the wars, when we have in all parts of history such large intimations of a contrary practice. Nay we read too of *conquisitores*, or impress masters, who were commissioned upon some occasions to go about and compel men to the service of the state.

SECTION XXVII. (a) The words of the original would bear to be translated thus, The dictator posting himself at a place very near Tusculum, and the consul at one hard by Lanuvium; but this would be a gross error in geography, for the enemies were encamped in two separate bodies at Algidum, and the Romans, as we are informed in the text, pitched also two distinct camps within a mile of them, one commanded by the dictator, which lay towards Tusculum, and the other by the consul towards Lanuvium; so that by the accounts which ancient geographers give us of the situation of these two places with respect to Algidum, the dictator must have been at least five miles from Tusculum, and the consul about ten from Lanuvium. By not adverting to this, Mr. Gueriu, in his late French translation of Livy, hath grossly perverted the sense of his author in this place, where he makes him say that the dictator encamped at Tusculum, and the consul at Lanuvium.

SECTION XXVIII. (a) When a body of troops was quite surrounded by their enemies, an expedient they often had recourse to was that of drawing themselves up in a round or circular form, that they might stand to their defence against those who attacked them on all sides; thus Tempanius and his cavalry defended themselves against the Volsci, sect. 39 of this book; and this method of defence Cesar speaks of, lib. 4, de Bello Gallico. As the words "*volventes orbem*," which is the expression Livy uses in this place, seem capable of this interpretation, several interpreters, and among others Dujatius, and the author of the late French translation, are of opinion, that the Volsci here were preparing to defend themselves in this manner, when Messius made them the following speech; but this seems to be quite inconsistent with Messius's words; for upon this supposition, he might perhaps have told them, that they were thinking of an improper method of defence in their present circumstances, but he could not have upbraided them with a design of exposing themselves to the darts of the enemy, without using any means of defence; whence it is plain, that by this expression our author can mean nothing else, but that the Volsci, seeing themselves, all of a sudden, surrounded by the Romans, were so skocked with their then circumstances, that at first they did nothing but move backwards and forwards, or turned round and stared about them, without using any means of safety, as it is natural for men to do, on the first prospect of great and imminent danger.

SECTION XXIX. (a) As long as the Romans and Carthaginians were separated by a large tract of sea, they had no difference, but as soon as both began to transport armies to Sicily, they became irreconcilable enemies to one another; yet not to insist upon this, it is not easy to know what expedition of the Carthaginians to Sicily our author speaks of in this place: for Diodorus tells us, that at the instigation of Xerxes, the Carthaginians endeavoured to make themselves masters of that island, and lost Hannibalcar their general, with one hundred and fifty thousand men, at Hymera, on the same day that the battle of Thermopylae was fought; but this happened during the consulship of Sp. Cassius and Proculus Virginius, that is in the year of Rome 268, and therefore fifty-five years before this time. Their next expedition was indeed

upon occasion of a civil war among the inhabitants of Sicily ; but neither agree with the time mentioned by Livy. For the same Diodorus, lib. 13, and Thucydides tell us, that when the Athenians were routed, after they had, in vain, laid siege to Syracuse, the Egestæi called in the Carthaginians, who transported an army thither, under the conduct of Annibal, in the twenty-second year of the Peloponnesian war, which coincides with the year of Rome 343, and therefore happened twenty years after this time.

SECTION XXX. (a) Several laws were made upon this subject. The first was that of Valerius Poplicola, by which it was enacted that every person who should condemn the consul's authority, in any instance, should be fined in two sheep. The next was that in the consulship of Tarpeius Capitolinus and A. Aterius or Æternius, in the year of Rome 300, which was for this reason called the Aterian or Æterian law, by which, if we will give credit to Dionysius Halycarnass. all magistrates (for in former times the privilege was confined to the consuls) were empowered to fine those who should condemn their authority ; but the extent of the fine was not left to their own discretion, it being expressly provided, that it should not exceed two oxen and thirty sheep. Yet this is contradicted by Festus and Aulus Gellius, who assert, that those who contemned the authority of the magistrates were to pay a fine, not exceeding two sheep, or rather rams, and thirty oxen, and that this regulation was owing to a plenty of cattle and penury of sheep, among the ancient inhabitants of Italy. But because such fines levied by the magistrates in oxen and sheep were very different, according to the different worth of the cattle and sheep which were given by the offenders two years after, that is, during the consulate of T. Menenius Lanatus, and P. Sextius Capitolinus, a law was made by which a certain fixed price was set upon every sheep and ox to be paid for such transgressions, viz. ten asses of a pound each for every sheep, and an hundred for every ox. But what Plutarch ascribes to the Valerian law, and Festus and A. Gellius to the Tarpeian, some authors attribute to this fourth law for rating of fines, made in the consulship of L. Papirius and L. Julius, which is that our author speaks of in this place.

SECTION XXXIII. (a) Livy in this sentence does not expressly mention the Veientes, but leaves the reader to gather from the connexion that what is here said must be understood of them ; and indeed nothing can be more obvious, for who should be slain on the banks of the Tiber or drowned in its stream, but those who fled to it, that is the Veientes, as we are expressly told in the preceding sentence. Again, those here mentioned are in the following passage distinguished from the other part of the army who fled to Fidenæ, i. e. the Fidenates, and consequently can be no other than the Veientes, seeing the whole army was composed of these two nations only. This is so plain that we should not have taken notice of it if several expositors, and in particular Mr. Guérin the author of the late French translation, had not, by implicitly following Dujatius, fallen into a mistake upon this subject, and thereby betrayed himself into a direct contradiction, by supposing the Fidenates to be intended in this expression.

SECTION XXXIV. (a) If we suppose our author to have taken the genuine sense of those annals which he quotes in this place, the argument which he uses is sufficient to expose the falsehood of them in this particular. But some commentators are of opinion, that what he asserts proceeds from a mistake of a passage in these annals : to this purpose they observe that the word *classis*,



which is that upon which he builds his conjecture, originally signified a body of horse drawn up in the line of battle, and that the author of the annals here mentioned had taken the word in this sense. To this purpose several authorities are produced. Those taken from Virgil, viz.—*Scio me Danais e classibus unum*, &c. *Æneid.* lib. 2, and — *classibus his locus*, &c. *ibid.* are capable of another signification; but it cannot be denied that Gellius, lib. 1, cap. 11, and lib. 10, cap. 25, uses the expression *armatus classes* for an army drawn up in battalia. And Festus expressly says that the word *classis* was used to signify a multitude of men before it was applied to a fleet of ships. And it is not improbable that Livy might in some instances mistake the meaning of old historians.

SECTION XXXV. (a) We are told, sect. 32, that Æmilius the dictator vowed to celebrate them when he marched out of the city; but it is not said what games they were, though it is most probable they were some kind of horse races, this supposition being most agreeable to the practice and example of Romulus, the founder of the city.

SECTION XXXVI. (a) It would seem from some circumstances here mentioned, that this Appius the son of the decemvir, and who upon this occasion was made governor of the city, was not the same person with the military tribune of that name, because had he been one of these consular tribunes who were then at the helm, he as well as his colleagues would have been concerned in procuring the act of senate for holding the consular comitia. Upon which supposition, if there had been no ground to quarrel with him because the affair was over, neither would there have been room for finding fault with the rest upon that score, though they had been on the spot as well as he. But if notwithstanding this we will suppose him to have been the same with the consular tribune of that name, which is Sigonius's opinion, we must also suppose, that upon some necessary occasion he was absent when the act of senate was passed, and had no direct hand in the contrivance for disappointing the people and their tribunes.

SECTION XXXVII. (a) Velleius Paterculus is of opinion that Capua was built by the Hetrurians eight and forty years before Rome was founded; and if we will believe Servius its original name was Aliternum, which the Latines changed to Vulturnum, a name the river that runs along the tract of land upon which it stood retains to this day. The same Servius in a note of his, upon a passage in the tenth book of Virgil's *Æn.* says it had the name of Capua from a falcon which was observed in taking an augury, because this bird in the ancient language of the Hetrurians, is called Capys. Our author derives it from Capys the general of the Samnites, who this year made themselves masters of the city, or from the champaign country in which it stood. Whatever be in these conjectures, it would seem that the Samnites, who had been but lately planted in it, massacred the ancient inhabitants in a most treacherous manner, after they had been three hundred seventy-nine years in possession of it. Capua was also reckoned one of the three most considerable cities in the world, and though inferior to Rome and Carthage, yet for some time rivalled them both. It was once quite destroyed, and afterwards rebuilt. Some few of its ruins yet remain near a populous village called *Sante Maria di Capoa*. Nova Capua, which stands about two miles from it, near the ruins of old *Caasilinum*, comes vastly short of the beauty, grandeur and extent of the old. In it was found the tomb of Capys its founder, and there, as we are informed by

Sueton. the colony that was planted by Cæsar the dictator, dug up an inscription which foretold his death. It is now called Capoue, and situated in one of the principal provinces of the kingdom of Naples.

SECTION XLI. (a) In the description of the city of Rome, there is mention made of a temple of *Quies* or *Rest*, near the Colline gate. Ferrarius says it was not far from the city, and stood on the same spot where we have now the temple dedicated to St. Peter, St. Paul, and St. Marcelline; but the Lavican way takes its rise from the Esquiline, not the Colline gate, and yet Livy at least supposes that the temple of Quies stood near it.

(b) So named from the city of Lavicum, begun at the Esquiline gate, and leaving Lavicum and Tusculum on the right, went along by the *Pictæ Tabernæ* till it ended in the Latine way. This is Strabo's account of it, and if we suppose it genuine, it is more probable that Lavicum was situated near Colonna than at Zangarolla.

SECTION XLIII. (a) Quæstors at first were chosen by the consuls according to Tacitus, lib. 2, but he adds, "that the first time they were chosen by the people was sixty-three years after the expulsion of the Tarquins, and the design of their election was to attend military affairs; and afterwards, when their business became more extensive, two more were added to attend the affairs of the city," where he seems to mistake not only with respect to chronology, in putting the sixty-third year for the twenty-third, as has been already observed, but also in supposing that the quæstors, who were employed about military affairs, were instituted before those who attended the business of the city; at least our author, with much greater probability, supposes the two city quæstors first elected, and that this year two more were added to attend the affairs of the army. For in the nature of things it must be supposed, that there were persons appointed to take care of the treasury in the city, before any officers were instituted to take care of the sums taken out of that treasury for the use of the army, and to lay them out according to the consul's order. It is indeed true, that now and then we find mention made of quæstors in the army, but the city quæstors are mentioned much more frequently; hence it is probable either that the city quæstors served at first in both these capacities, or that to this time the consuls had the privilege of employing any proper persons they pleased, in disposing of the money appointed for the use of the army.

SECTION XLIV. (a) Forty-eight pounds eight shillings and eight-pence. Arbutnot.

(b) When the judges, upon hearing a cause, pronounced that the evidence was not clear, and there was occasion for a farther trial, this verdict was called *ampliatio*, probably from the words which the prætor pronounced upon such occasion, viz. *amplius cognoscendum est*; and as the character denoting absolution was A, that expressing condemnation C, so the mark of ampliation was NL, i. e. *non liquet*.

SECTION XLV. (a) Thirty-two pounds five shillings and nine-pence three farthings. Arbutnot.

(b) In the original it is *patria magestas*, i. e. *paternal majesty*. Nor is that expression too strong to express the extent of paternal authority among the Romans, who not only had the power of life and death over their children; but in disputes among the supreme magistrates, paternal authority, as something superior to any civil jurisdiction, was sometimes exerted to determine the controversy, as appears from the instance given in this place.

SECTION XLVII. (a) The *jugerum* among the Romans which we have translated acre, was a space of ground two hundred forty feet in length and one hundred and twenty in breadth.

SECTION XLIX. (a) A city of the *Æqui* bordering upon the country of the *Latines*, about sixteen miles from Rome, its modern name is *Poli*.

(b) This name was common to two Roman families, viz. those of the *Claudii*, and the *Posthumii*, and given them upon very different accounts. The *Claudii* had it from Regillum a town in the country of the *Sabines*, whence they had their original; but the *Posthumii* from the famous victory which the Romans gained over the *Latines* at the lake of Regillus, under the conduct of Posthumius the dictator.

SECTION L. (a) This kind of punishment is described more minutely book 1. sect. 51. in the instance of Turnus Herdonius.

SECTION LI. (a) This is not the same with the *Caput Ferentium*, situated near mount Alba, where the *Latines* held their assemblies, nor with *Ferentinum*, a city of *Hetruria*, whose ruins yet remain near Viterbo, under the name of *Forenti*, nor with *Ferentum*, or rather *Forentum*, in *Apulia* near *Acherontia*, now called *Forenza*, but a town which belonged originally to the *Volsci*, afterwards it was taken from them by the consul *Furius*, given to the *Hernici*, and some time in the possession of the *Samnites*. It yet retains much of its ancient name, being now called *Fiorentino*, and is situated in *Campagna di Roma*, almost in the centre between *Anagnia* *Fruseno* *Signia* and *Verulæ*, about forty-eight miles from Rome.

SECTION LII. (a) Nothing can be plainer that the original expression "*maximos commeatus summo Hetruriæ studio Tiberis devexit*," can bear no other sense than what we have given it. It is also beyond all controversy that *Hetruria* lay farther up the *Tiber* than Rome, and consequently what came from that country to Rome by the *Tiber*, must come down not up that River. So that it is surprising what could lead Mr. *Guerin*, in his late translation of this passage, to say that the *Hetrurians* sent provisions up the *Tiber* to Rome, in direct contradiction to his author, as well as the nature of things.

(b) According to the ancient customs of the Romans none but senators were sent ambassadors to foreign states. On this occasion necessity obliged them to dispense with that custom, and in after-times it was not much regarded.

SECTION LIII. (a) This fortress seems to have been not far from Rome, seeing the loss of it is considered as a great disgrace. *Sigonius* in a note of his on the fifty-fifth sect. of this book, thinks it lay in the country of the *Æqui*; but *Stephanus* says there was a town of this name in the dominions of the *Latines*.

SECTION LVI. (a) Though all the Romans had a right if they thought proper to stand for employments in the state, and solicit the people in white gowns, yet that honours might not be conferred unworthy of them, or not duly qualified according to law, all candidates were obliged to give in their names, some time before the day of election, to the magistrate who was to hold the comitia, that their pretensions might be examined by the magistrates and the senate, and according to their decision some were sustained and others rejected; so that if any candidate was excluded by any sentence of theirs, no regard could be had to him in the election, and the people, were they ever so willing, could not confer the office upon him. Whence it is easy to conceive how much it was

in the power of the patricians to admit plebeian candidates of the greatest obscurity and meanness, and reject others of greater figure and worth.

SECTION LVII. (a) An act of senate regularly passed which was called *senatus consultum*, was very different from the judgment of the senate, called *authoritas senatus*, or the authority of the senate. A *senatus consultum* required the consent of the senate duly called together, and without opposition from any that had interest. But if the summons by which the senate were convoked wanted any necessary formality, if they were called by a magistrate that had not sufficient powers, if they were summoned to meet in an improper place, or on a prohibited day, or if any regular opposition was made to their decree, in these cases their resolution was recorded, that the judgment of the senate might be known upon that subject; but it was not considered as a decree of senate duly ratified, or a *senatus consultum*, but only called an *authoritas senatus*, and might be referred to the people for their confirmation. This is clearly proved by Sigonius from Dion. Cassius, lib. 55, and other authors. Whence it is easy to conceive the difference between a dictator created by act of senate, or *ex senatus consulto*, and one nominated by the senate's authority. And in the present case the authority of senate might seem sufficient, because the consent of the people might be presumed from the silence of their tribunes; and the opposition which Servilius mentions must be supposed to come from his colleagues in the military tribunate, or some other member of the senate.

(b) The lake Fucinus, according to Pliny, lay in the country of the Marsi and near the dominions of the Volsci. A river rising out of the Pelignian mountains, which Cluverius calls Pitonius, runs through it without mixing its waters with it. It yet retains its ancient name, being called Lago Fucino, though it is likewise from a town in the neighbourhood often called Lago di Celano. What is most remarkable about it is, that it sometimes rises above its banks and overflows the country for five miles; on account of which inundation a fort belonging to the Volsci might be justly said to stand near or upon this lake, though the lake itself in ordinary did not reach within four miles of their country.

SECTION LIX (a) This city had not its name from Greek original as Servius imagines, but was so called in the language of the Volsci, at least Pliny is of this opinion, lib. 3, cap. 5. The Romans afterwards called it *Terracina*, or in the singular number *Terracina*, which it still retains. It lay beyond the Circeian promontory, near the mouth of the river Ufens, and on the side of a steep rock; whence, Strabo says, it was first called Trachina, which in the Greek language signifies rough; and this name was afterwards by the Romans converted into *Terracina*.

(b) By soldiers we are to understand only the foot, who had for more than three hundred years borne their own charges in time of war, but ever after the taking of Anxur had pay out of the exchequer. The cavalry had no pay till three years after this, in the time of the war against the Veientes, as our author informs us, lib. 5, sect. 7. Polybius tells us, that the pay of the Roman foot in the time of the second Carthaginian war was two oboli a-piece a day, that is, when the *as* was reduced to half an ounce, three asses, or something less than two-pence half-penny. A centurion had twice, and a Roman knight thrice the pay of a foot soldier. Afterwards in the time of Augustus the foot had ten asses, which is near seven-pence three farthings of our money, according to the

common computation. But besides this money, they had afterwards a proportion of corn and sometimes clothes, sometimes also they had the plunder of the towns they sacked, and now and then presents after gaining victories.

SECTION LX. (a) The use of silver coin among the Romans, if we will give credit to Pliny, lib. 33, cap. 3, began in the four hundred and eighty-third year of Rome, in the consulship of Q. Ogul. Gallus and Q. Fabius Pictor, five years before the first Carthaginian war.

(b) By this expression we are often to understand pieces of rough unpolished brass without any stated form or impression, which the Romans valued by its weight, and used in commerce before they had any coin, but sometimes it is used for brass coin, in which sense it seems also to be taken here, for they used brass coin from the time of Servius Tullus their sixth king; but because in payments of greater sums the brass pieces were not counted but weighed, they still continued the name of *as grave*, or brass by weight, which they had used before they were acquainted with the art of coining.

SECTION LXI. (a) Cluverius owns that he cannot ascertain the situation of this town; but from the place where the battle, which immediately preceded the siege of it, was fought, it is reasonable to think, it must have been near Norba. It was not the same with Artena in the country of the Cærites, as our author has told us in this place, nor with Artena, or rather Ortona, a city belonging to the Latines, which has been already mentioned.

## NOTES ON THE FIFTH BOOK.

SECTION I. (a) Some writers seem to think that our author is mistaken when he says there were eight military tribunes this year, and has added the two censors M. Furius Camillus and M. Posthumius Albius to the six military tribunes. Of this opinion are Sigonius and Pighius. And Plutarch expressly affirms that Camillus bore the office of censor, before he did that of military tribune with consular power. And hitherto we have not read of his being censor.

(b) If the Romans did not at this time first invent those lines of circumvallation and contravallation which have been since so much in use, yet at least this is the first time of their being mentioned in Roman antiquity.

SECTION II. (a) We must not confound the *hybernacula* and *hyberna*. The former were barracks built in camps, of thin plank and covered with skins, thus differing widely from the common tents used in summer encampments. The latter for the most part are built in towns or villages, to quarter troops in time of peace, or during winter after a summer campaign. They are likewise called garrisons. See note (c) following.

(b) This seems to allude to an ancient proverb, *Hostium munera, nec munera*. See Erasmus on this proverb.

(c) As the ancients covered their tents with hides of beasts, hence *sub pellibus* signifies to remain in tents. But it is most probable our author in this expression alludes to the *hybernacula*, mentioned in the beginning of this section, especially as he uses the same words, book xxxvii, where he lays down the difference between *hybernacula*; *aut sub pellibus habendos milites esse, aut si concedere in hyberna vellet, differendum in æstatem bellum*,

(d) See book iv. section xlviii.

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SECTION V. (a) They were wooden towers, which moved on four or more wheels, placed within them and out of sight, such as those invented in Sicily by Hero in the time of the Elder Dionysius. In order to make them higher than the enemy's fortifications, they were raised to ten and sometimes a greater number of stories, closely floored. In them the cranes, scaling ladders, bridges, and other machines for entering cities, were brought up to the walls, and from them the besiegers first annoyed the besieged with darts and other missile weapons, and then closed with them foot to foot.

(b) The military vineæ or galleries were made of thin rafters, and were eight feet high, seven broad, and sixteen long. Their roofs were made of planks and hurdles, their sides wickered with twigs, and covered over on the outside with raw hides. They moved on secret wheels like the towers.

(c) Appius does not here mean the tortoises which the soldiers made in form of a roof, by laying their bucklers edging one above another over their heads, and upon which they climbed one above another, till they were as high as the enemy. But those wooden mantelets, the invention whereof Pliny ascribes to Artemo of Clazomene. They were used in digging or filling up trenches, and levelling uneven ground, or likewise to hang and bring up the battering rams to the walls. They moved on secret wheels in the same manner as the vineæ did. But their roofs and fronts were not so flat, but sloped, that the darts thrown from the walls, falling obliquely, might slide off again, and so the soldiers within them remain in perfect safety.

SECTION VII. (a) The *agger* was a kind of bulwark made of fascines, stones and earth closely compacted and raised to any requisite height. On the outside it was formed of balisters crossing each other in form of a lattice. It was generally very near as high as the walls of the besieged town against which it was raised, and had wooden towers upon it for the most part higher than the walls, from whence they threw darts and other missile weapons against the enemy.

(b) The necessary ceremony to make a citizen a knight was receiving a horse from the republic, which was likewise kept at the public charge. And the richer citizens, whose estate and birth qualified them to be admitted into this order, often served in the army as volunteers on their own horses.

(c) Our author tells us in the sixth section of the preceding book, that the infantry had pay granted them by a *senatus-consultum*; but this is the first time we read of pay being granted to the cavalry. According to his account elsewhere, each foot soldier received two oboli a day, and each knight thrice as much, viz. six oboli, or ten Roman asses. See note (b) b. iv. sect. ix.

SECTION VIII. (a) Their capital city was Capena, which lay on the right bank of the Tyber, on the frontier of Heturia. Ortellius and many others are of opinion that the ancient Capena, is that town commonly called *Canapina*, situated on mount Ciminus, not far from Viterbium. Cluverius thinks it was the present *la Civitella*, lying at the foot of mount Soracte. But Holstenius and Ligorius, with greater probability, guess it to be that town now called *Morlupo*, in St. Peter's patrimony.

SECTION X. (a) See below the end of this sect. and beginning of sect. xi.

(b) Glareanus would have it the *fifth* year, reckoning from the beginning of the war with Veii. See book iv, sect. lviii. But as Sigonius very well remarks, the tribunes in this place look no farther back, than to the year 352, in which the barracks were built for the soldiers to winter in. See sect. ii. of this book.

(c) The usual number of tribunes of the people chosen yearly was ten. The tribes at this time could not agree in the choice of more than eight; so that there were two places to be filled up by the choice of those eight. See book iii. sect. lxiv.

(d) Trebonius's law ordained, that the people should chuse all their tribunes together before the comitia broke up. See our author, book iii. sect. lxv.

SECTION XII. (a) Thirty-two pounds, five shillings, and nine-pence three farthings. Arbuthnot.

(b) See the end of sect. x. and beginning of sect. xi. of this book.

(c) Plebeians had been admitted into the senate ever since the two hundred and sixty third year of Rome, according to Dionysius, lib. vii.

SECTION XIII. (a) The word is derived from *sternere*, to prepare, and *lectus*, a bed. The statues of the gods were taken down from their niches, and laid on beds, placed about a table, and covered with magnificent carpets, purple cushions, and hangings of tapestry. Duumviri, Triumviri, and in process of time Septemviri, named *epulones*, presided at these feasts, and eat the meat that was served up before the statues. In the first of the three beds lay Apollo, Diana and Latona; in the second Hercules and Mercury, and in the third Neptune.

(b) When the same people two years before had beat up Sergius's quarters, and drove him from his entrenchments. See sect. viii. of this book.

SECTION XIV. (a) We have chose in this place to read *terribilem* instead of *similem*. Dujatius prefers either *fertilem* or *terribilem* to the common reading.

(b) The Sybilline books, which were believed either to contain or foretell the fate of the city.

(c) Many editions read *tertium*, a third time, but without authority from the ancients. In particular, Plutarch says, that the inundation happened in the Alban lake, during the second tribunate of Camillus. His words are, *τὸ δεύτερον*. See note (a) on sect. i. of this book.

SECTION XV. (a) It is the present lake of *Castel Gandolphe*. Kircher, who measured and sounded it, says it is about eight miles in circumference, unfathomable on the north side, and that the deepest ground he met with lay four hundred and eighty-five feet from the surface of the water. That unfathomable part of it, next *Monte Corvo*, is commonly swelled by torrents from the cavities of the adjacent hills. It now empties itself into a subterraneous passage dug through the hill for that purpose.

(b) Cicero, Lib. i. de Divin. in his relation of this answer, given by the soothsayer, adds some other circumstances.

SECTION XVII. (a) Dionysius Hal. book iv. says that Tarquin the proud, in order to perpetuate the memory of the league made in his time between the Romans and Latines, instituted a yearly solemn festival called *Latias*, to be held on mount Alba, which stood almost in the centre of the Latine states, in honour of Jupiter Latialis. At this mountain therefore, all the Latine and neighbouring states, to the number of forty-seven, who were included in the league, convened and feasted together. Each people were to bring a determinate quantity of provisions for this end. Some were appointed to bring a number of lambs, some to bring cheese, or milk, or a quantity of other sorts of victuals. A bull was slain as a common sacrifice for them all, and each had a fixed portion of the flesh and entrails assigned them. Solemn proclamation was made of this festival by the Roman consuls, and other supreme magistrates, who, together with the magistrates of the Latine states, had the direction and execution

of the different parts of the ceremony. If any thing was amiss in these sacred rites, as, if all the Latines did not receive their portion of the flesh and entrails, or any necessary ceremony was omitted, the festival behoved to be set about anew. By Tarquin's institution, this festival continued only one day; but a second was added, when Sp. Cassius the consul made a league with the Latines, not long after the expulsion of the kings; a third by the senate, upon making another with those states, upon the reconciliation between the nobility and commons after Sicinius's secession to the sacred mount. See our author, book ii. sect. xxxiii. and a fourth was afterwards added, as will be seen in our next book.

SECTION XVIII. (a) See before sect. xii. of this book.

(b) If we will look back to section xii, we shall see, that only three of Licinius's former colleagues are in the present list, L. Titinius, P. Mænius, and P. Mælius, and in room of the other two, L. Furius Medullinus, and L. Publilius Volscus, are inserted, Cn. Genucius and L. Atilius, who were military tribunes the year after, as may be seen in sect. xiii. so that we thought it necessary to add in the text these words, *or the year immediately after him*.

(c) Before the commons proceeded to vote any matter in the comitia, the century, upon whom it fell by lot, voted first, and was called *centuria prerogativa*, the rest following in the order of their *classes*. After the constitution of the five and thirty tribes, into which the *classes* and *centuries* were divided, in the first place the *tribes* cast lots, which should be the *prerogative tribe*, and then the century of that *tribe* for the honour of being the *centuria prerogativa*. All the other tribes had the appellation of *jure vocata*, because they were called out to vote in their proper places.

(d) In the beginning of this section.

SECTION XIX. (a) Romulus first instituted them. They were those of the circus, and called *great*, either because they were consecrated to the three great deities, Jupiter, Juno, and Minerva; or because of the great expence and pomp wherewith they were celebrated.

(b) Matuta, or *Ino*, was wife of Athamas, son of Æolus, and king of Thebes. She was daughter of Cadmus, aunt of Bacchus, sister of Semele, and mother of Melicerta. The Greeks called her *Λουκοῖσα*, the Latines, *Matuta*. She is called by the ancients *Aurora*. See Ovid Metam. 3. Fast. book vi. She was worshipped by matrons, who, according to Plutarch, in quest. Roman. n. 7. presented only their sister's children, not their own to her.

(c) This town lay in Etruria, and is now called Nepi.

SECTION XX. (a) Young Licinius, as being first military tribune, was president of the senate, and asked the opinions of the fathers. Out of filial regard, perhaps, he gave the precedence to his father; or, it may be, this old man's years entitled him to that honour.

SECTION XXI. (a) Pagan superstition supposed when two nations were at war, that their tutelary gods became parties in it, and espoused the interest of their own people. The contending nations therefore not only courted the favour of their own gods, but of those of their enemies, and these they invited to leave the enemy by formal prayers, promising them a gracious reception among themselves.

(b) The old Veientine soothsayer, who had instructed the Romans in the manner of letting the water out of the Alban lake. See sect. xv. of this book.

(c) The oracle at Delphos. See the end of sect. xvi.



SECTION XXIII. (a) At the first institution of supplications they were appointed to continue only for one day, then two, and afterwards to many more. That decreed for Pompey's ending the Mithridatic war, lasted twelve; and Cæsar's for the Gallic war, fifteen. In process of time, Pansa and Cæsar Octavianus, after the battle of Modena, had a thanksgiving decreed for fifty.

SECTION XXIV. (a) The Romans commonly divided integers into twelve parts, which they termed *uncia*.

SECTION XXV. (a) The Romans then had none but copper money.

(b) The *Pilentum* seems to have been a covered carriage, hung after the manner of our coaches. The *carpentum* was more open, and pretty much like our waggons. But after all, the difference between them cannot be ascertained, and *pilentum* and *carpentum* are used synonymously by historians.

(c) See note preceding.

(d) We see before sect. xxii. that the price of the prisoners who were sold by auction, was carried into the treasury of the state, and so became part of the public funds.

SECTION XXVIII. (a) The most considerable of the *Æolian* islands, lying between Italy and Sicily. It is said to have had its name from *Liparus*, son of *Auson*, who reigned in this island. Pliny iii. 9.

SECTION XXIX. (a) Thirty-two pounds, five shillings, and nine-pence three farthings. Arbuthnot.

SECTION XXXI. (a) The *Volsinienses* inhabited a considerable city of *Hetruria*, called by Strabo and Ptolemy *Volsinium*. It was the capital of one of the twelve *Lucumonies* of that nation. It stood near a lake of the same name, where *Bologna* now stands. Pliny, book xxxvi, says, grinding-mills were first invented and used in this city.

(b) There are no traces of *Salpinum*, which they inhabited, now remaining. Yet it is probable from this war, that it was then a powerful state.

SECTION XXXII. (a) On account of this miraculous and forewarning voice an altar was erected in New-street to a divinity called *Aius Locutius*. Cicero, in his second book of *Divination*, chap. lxix. speaks of him thus. *What then? Aius uttered oracles, and spoke when none knew him. But became dumb, when he got an altar, a place of abode, and was worshipped as a god.* Varro, Gell. xvi. mentions both the altar, and the kind of worship paid to him.

(b) 48l. 8s 9d. according to Arbuthnot.

SECTION XXXIII. (a) Pliny book xii. sect. i. gives this account of the matter; that one *Elicon*, from Switzerland, went to Rome, and staid some time there. When he returned home, he gave his countrymen some dried figs, raisins, oil and wine, which he had brought out of Italy.

(b) The *Hetrurians* were likewise called *Tuscans*.

SECTION XXXIV. (a) They inhabited the canton of *Berry*, which lay in the centre of the Celtic Gaul, lying between the *Seine*, *Loire*, and *Garonne*.

(b) Gaul was anciently divided into three parts. The first reached from the British ocean to the *Seine*, and was called by the Romans *Gallia Belgica*. It was bounded on the north by the British channel; to the west by the rivers *Seine* and *Marne*; to the east by the *Rhine*, and the South by *Switzerland* and *Burgundy*. These boundaries were varied by the arbitrary divisions of Gaul by the Roman emperors, and occasioned all that difference about the limits of the three parts of it among ancient geographers, Ptolemy, Orosius, Mela, Pliny and Strabo. The second called *Gallia Celtica*, comprehended the country be-

tween the Seine, the Loire, and the Garonne, as far as the Alps. The third, called *Gallia Aquitania*, contained all the tract of land between the Garonne, Pyrenees, and the ocean. It was a maritime country, bounded on the south by the Mediterranean, and to the west by the ocean. It was very extensive; for from the Garonne, or from Bourdeaux to the extremity of the Pyrenees, is computed to be thirty-four leagues.

(c) Mela gives this forest an immense length, extending it from the Rhine to that part of Muscovy anciently Sarmates. Julius Cæsar says, it was nine days' journey over. It began on the confines of Alsace and Switzerland, and extended all along the Danube to Transylvania, where it winded about to the left, leaving the river, and passed through many different nations. Comment. book vi. chap. xxv. It has long since been entirely grubbed up, excepting a small part now called the black forest. Segovesus settled in a canton of Germany, ever since called Bohemia, from the word Boii, the greatest part of his followers being of that Celtic nation which was so named.

(d) They inhabited Auvergne, now *Clermont*, a bishoprick in *Aquitain*.

(e) Their capital city was *Sens*, and they possessed that part of Gaul which lies between *Paris* and *Meaux*, now called *Saintonge*.

(f) Inhabiting a canton of the *Autunois*, which is part of *Burgundy*.

(g) Vigenerus says, that they inhabited *Charlois* in *Burgundy*.

(h) Part of the inhabitants of *Beauce* and *Orleanois*. Their capital was the present *Chartres*, a large city on the river *Evre*.

(i) They inhabited the cantons of *Perche* and *Maine* in *Normandy*. The *Cænomani* were the most considerable people among them. See sect. 35, (a) on *Cænomani*.

(k) It is part of *Dauphine*, and lies on the left side of the *Rhone*. Its capital city is *Saint Pol Trois-chateaux*.

(l) It was in *Asia Minor*, and was inhabited by a colony of Athenians, who being besieged by Harpagus, lieutenant-general to Cyrus, king of Persia, left their city to the mercy of the enemy, and embarked with all their effects. They landed on the island of *Corsica*, and from thence sailed to the coasts of *Provence*, where they founded the city of *Marseilles*. They took an oath at leaving their city, never more to return to their own country; which gave rise to the proverb *φωκαίων ἀπα*, signifying an execrable oath.

(n) They dwelt on the sea-coast of *Provence*, according to Ptolemy, where now stands the cities of *Aix*, *Arles* and *Tarascon*.

(o) It stood at the foot of the *Alpes Cottiae*. The Gauls passed between the mountains *Genevre* and *Cenis*.

(p) This river rises by mount *St. Goddard* in *Switzerland*, and running through the Milanese, after mixing with the lake *Major*, runs by the walls of *Milan* and *Pavia*, and then falls into the *Po*.

(q) The modern Milanese was then called *Insubria*.

(r) We have at present no traces left of the *Insubres*, who inhabited this canton. But from what our author says, we may conjecture they inhabited part of *Burgundy*, viz. *Autun*.

(s) The great city of *Milan*.

SECTION XXXV. (a) They extended themselves from the mouth of the *Seine* to that of the *Loire*. Our author in the preceding section, and Julius Cæsar, Comment. b. v. calls them *Aulerci*. Jul. Cæsar likewise gives this name to another people in the territory of *Évreux*, between *Rennes* and the country

tagne, lying on the side of the Vanues, and more to the westward. These authors give the names of *Aulerici Eburovices* and *Aulerici Diablintes* to these two nations. This agreement, in the same name, of three nations reaching from the mouth of the *Loire* to the mouth of the *Seine*, leads us to conclude, that they were all one body, of which the *Cænomani* were the most considerable part. See note (c) sect. 34.

(b) This was a common name among the Gauls, and some have conjectured that the name of *Lewis* was originally derived from it.

(c) We must not confound, as G. Merula has done, this people with the *Lebecii* mentioned by Polybius; for they possessed the present *Bresciano*, *Cremonese*, and *Mantua*.

(d) Now also called *Bresse*, as well as *Brescia*, in the territories of Venice.

(e) A most noted city, and the largest in all *Lombardy*. It lies between *Ferrara* and *Trent*, and is watered by that river which the Germans call *Esh*, but the Italians *l'Adige*. The poet *Catullus* was born in this city. It is said to have been first called *Brenona*, from the name of *Brennus*, general of the Gauls.

(f) They inhabited a canton near that of the *Libici*, on the side of *Provence*. These two nations were likewise neighbours in Italy, where they seized the country of *Navarra*, on the north side of the *Po*. *Pliny*, book iii. says the *Lævi* founded *Pavia*, now *Il Pavese*.

(g) They had this name from the Latin word *Liger*, the *Loire*, on the banks of which they dwelt.

(h) They inhabited the country bordering on *Burgundy*, *Nivernois*, *Auvergne* and *Berry*; which province is now called the *Bourbonois*. They are not to be confounded with the *Boii*, who inhabited *Buck* in *Aquitain*, near the ocean. They settled between *Bologna* and *Ravenna*.

(i) They dwelt to the east of the river *Marne*, bordering upon *Autun*, *Franche Compté* and *Lorrain*. They settled more to the north than the *Boii*, at the mouth of the *Po*.

(k) The *Pennine Alps* reach from mount *St. Bernard* to mount *St. Goddard* towards the heads of the *Rhone*, the *Rhine*, and the *Ticin*. They comprehended the country of the *Valais* and *Sion*, and in *Piedmont* the *Val d'Aosta*, and the valley of *Andorno*. Some think they were called *Pennine* from *Pani*, *Carthaginians*, who passed these mountains under the command of *Hannibal*. But our author, book xxi. derives this name from the god *Peninus*.

(l) The country of the *Umbrians*, at that time, was bounded to the west by a line drawn from the present river *Montone* to the heads of the *Tyber*; and from thence to the conflux of the *Nar* with this last river, was its boundary to the south; to the east by the middle of the river *Fiumesino*; and to the north by the *Adriatic sea*.

(m) The *Senones'* new settlement was bounded to the west by the river *Montone*, and to the east by the *Fiumesino*; but geographers say nothing of its boundaries to the south and north. But it is probable they were at first enclosed by the *Apennines* and the *Adriatic sea*.

(n) Now *Montone*.

(o) Now *Fiumesino*.

SECTION XXXVII. (a) Geographers say it was the same little brook which runs about one mile from *Monte Rotundo*, and five miles above *Marzigliano Vecchio*, and which is now called *Rio di Mosso*.

SECTION XXXVIII. (a) This memorable battle was fought on the fifteenth of the kalends of August, i. e. according to our computation, the eighteenth day of July. This day had before been fatal to the Fabii at Cremera, and was ever after reckoned among the unlucky days. These they call *Dies atri*, black days, because they were marked with black letters.

SECTION XL. (a) Our author here computes from the first war Romulus entered into, and not from the foundation of the city.

(b) Plutarch says they were deposited under the temple of Quirinus, and that the place was thence called *Doliola*, from the casks they were packed up in.

SECTION XLI. (a) The *Ædiles*, *Prætors* and *Consuls*, were called *curule magistratus*, from the *curule* chairs in which they were carried. See Feneatella, Pomponius, and Alex. ab Alex. book iv. chap. xi.

(b) These *Thensæ* were a kind of chariots or waggons, in which the images of the Roman gods were carried. Cicero in Verr. 5, 72.

(c) This hall generally was in that place of the house into which they first entered, and exactly in the centre. A little after, our author uses the expression in *ædium vestibulis*, in lieu of *medio ædium*, used in this place, and both justly enough from the situation of this great hall or porch.

SECTION XLV. (a) Near Ostia at the mouth of the Tiber.

SECTION XLVI. (a) Each family had its tutelary gods, the observation of festivals and sacrifices in honour of whom, when authorized by the pontifices, became indispensable acts of religion; and the obligation of performing them was always conveyed down to the descendants, or next heirs of the family. Cic. book ii. of *laws*.

(b) Servius thus explains the expression. *Gabinus cinctus*, to hang a gown on one shoulder, and bring a lappet of it down the back, and under the other arm. In this manner did the Roman magistrates wear their gowns when they offered sacrifices in war, and thus did their soldiers fight.

SECTION XLVII. *Carmenta* or *Carmentis* was a prophetess, and mother of Evander. She dwelt on the top of a hill in Rome, which was then called *Sæturnius*, but afterwards *Tarpeius* and *Capitolinus*; where, according to Dionysius and Solinus, a temple was erected to her. Sigonius conjectures that the rock *Carmentalis*, which hung over the gate of that name, was in that place where this temple stood.

(b) From this time geese were ever held in honour at Rome, and a flock of them always kept at the public expence. A golden image of a goose was set up in memory of their service, and one every year carried in triumph on a soft litter, finely adorned; whilst dogs were held in abhorrence, and one of them every year impaled alive on the branch of an elder tree. Plin. and Plutarch. de fort. Rom.

SECTION XLVIII. (a) Florus, book i. chap. xiii. says, that Manlius advised the garrison to this, in order to weary out the enemy, who were persuaded that famine would soon oblige the Romans to surrender. Lactantius, book xx, says, that when the Romans were reduced to extreme want of bread, Jupiter, the tutelary god of their capitol, commanded them in a dream to make all the corn they had into bread, and then throw it among the Gauls, reserving none to supply their own wants. The enemy, deceived by this show of plenty, despaired of reducing the citadel, and raised the siege. In memory of this nocturnal admonition, the Romans erected an altar to Jupiter under the name

of *Pistor* the *Baker*. But the following account of driving away the Gauls, given by our author, and confirmed by other historians, is by far the most credible.

(b) About 45,000*l.* according to *Arbuthnot*.

SECTION L. (a) The *Circensian* games. See chap. ii. of book vii.

(b) The *capitol*.

(c) See our author, sect. xxxii. of this book, note (a).

## NOTES ON THE SIXTH BOOK.

SECTION I. (a) The day of *Allia*.

SECTION II. (a) There was a hill so named twenty-five miles from Rome and five from *Lanuvium*. It was one of the boundaries between the *Pomptin* and *Volscan* territories, and may be supposed to have taken its name from *Marcus Coriolanus* encamping on it.

(b) A city of old *Latium*. It stood on the *Appian* road, twenty miles from Rome, and eight from *Antium*, at present it is called *Civita Lavina*, or *Civita Indorina*.

SECTION II. (a) Our author here computes from the two hundred and fifty-ninth year of Rome, in the consulship of *Appius Claudius* and *Publius Servilius*.

(b) It lay not far from *Præneste* and *Lavicum*, in the neighbourhood of the *Latinea*.

SECTION III. (a) It lay thirty-three miles from Rome, and bears the name of *Sutri* at this day. *Diodorus* is certainly mistaken, when he says it was a Roman colony at this time.

SECTION IV. (a) We are not able to trace the situation of those two cities.

(b) The reign of *Augustus*.

SECTION V. (a) These four new tribes were composed of those *Veientes*, *Capenates*, and *Falisci*, who had come over to the side of the Romans in the former war, had been naturalized, and had lands assigned them.

(b) This tribe took its name from a little country in *Hetruria*, between *Capena*, *Veii* and *Falerii*. Some have confounded it and the city *Stellata* of *Campania*, without considering that Rome had not at this time extended her conquests so far as the latter. *Festus Pomp.*

(c) It was so called from *Tromentum*, a district of *Tuscany*. *Idem.*

(d) It had its name from an *Hetrurian* city called *Sabata*, now *Languillara*, and stood betwixt *Sutri* and the sea, near the present *Lagodi Braccino*.

(e) *Sigonius* and *Onuphrius* declare in favour of the reading *Arniensis*, and that the tribe took its name from the *Tuscan* river *Arne*, which rises out of the *Appenines* fifteen miles from the head of the *Tyber*, and discharges itself into the *Tyrrhene* sea. But *Cluverius* is of opinion the Roman arms had not yet penetrated so far. Therefore modern authors read *Narniensis* from *Narnia*, a city of the hither *Umbria*, through which the river *Nar* runs. But it cannot be proved from any authentic history or record, that the republic extended so far at this time. Some therefore conjecture it should be *Axiensis*, from *Axia*, a city of *Tarquini*; whilst others pretend that our author here speaks of the *Tribus Aniensis*, so called from the river *Anio*, and assign the following reasons. 1. Copyists might easily mistake in putting *Arniensis* for *Aniensis*.

2. The Romans, it is certain, possessed lands on the Anio. 3. All authors agree the *tribus Aniensis* was one of the thirty-five, but all do not mention the tribe of the Nar. 4. It is certain there was another tribe called *Arniensis*, and that the Roman conquests did not extend to the river *Arne* in the year 367, and therefore this tribe was of later date than the *tribus Aniensis*. 5. The tribe of the Arne was the farthest from Rome, grounding this their opinion upon a passage of Cicero against Rullus, *a suburbana usque ad Arniensem*. So this must be later than the *tribus Aniensis*. But we leave the reader to his own judgment.

(f) Many editions erroneously read thirty-five. But let us reflect, that Serv. Tullius divided the people of the city into four tribes, and those of the country into fifteen, distinguished by their places of habitation. To these nineteen two more were added, after the expulsion of the kings. And thus the number was made twenty-one, and the present four make it exactly twenty-five.

SECTION VI. (a) Such soldiers as were dismissed the service on account of sickness, were stiled *Causarii*, as it were, *dimissi ex causa valetudinis minus prosperae*. And hereby they were distinguished from those who, having served their full time, had a right to retire, and from those who were regularly discharged.

SECTION XIV. (a) Manlius paid the sum the insolvent centurion was condemned in to his creditor; for any one who saw a creditor carrying home or to prison a person condemned for debt, he might either, by paying the money, or giving security for its payment, if the creditor would accept his bond, deliver the condemned person out of his hand.

(b) The ancient Romans brought money and scales as a necessary ceremony in executions against debtors, as well as in lending money. Thus that learned lawyer Ælius Gallus, apud Varronem, vi. de LL. *Necti dicit quicquid per as & libram geritur, ejus generis est testamenti factio, nexi datio & nexi liberatio*. For by solemn ceremony, used at the pleasure of the master or creditor, in order to acquire a legal right to the persons or effects of the debtor, a sham or imaginary sale was proclaimed and held, in presence of five witnesses, freemen of Rome, and arrived at man's estate, and he who held the scales (as if he had been weighing the price, or money due) was for that reason stiled the *comptor*, or purchaser of the family or of its effects. He likewise threw a piece of money into the scale, repeating at the same time a prescribed form of words, expressing what they were about. Thus if he was purchasing a slave, he said, *Hunc ego hominem ex jure Quiritium meum esse aio, hoc are atque hac libra*. By these ceremonies did Manlius, after paying the debt, transfer the creditor's right in the centurion to himself. And as by this purchase he was become his own property, he might either retain him as his slave, or set him free.

SECTION XX. (a) See book iii, sect. lviii.

(b) The capitol, which was clearly seen from the Campus Martius, where were always held the comitia by centuries, put the people in mind of Manlius's saving it, and this inclined the centuries to pardon his present crime.

(c) It was given to him, who first scaled the wall of an enemy's city, in a general assault, and therefore in its shape there was some allusion made to the figure of a wall, and it represented pinnacles, battlements, &c.

(d) Given to any soldier who saved the life of a Roman citizen in an engagement. This was reckoned more honourable than any other crown, though composed of no better materials than oaken boughs. Plutarch has

guessed very happily at the reason why the branches of this tree should be made use of before all others. For the oaken wreath, says he, being otherwise sacred to Jupiter, the great guardian of their city, they might therefore think it the most proper ornament for him who had preserved a citizen. Besides, the oak may very well claim the preference in this case; because in the primitive times, that tree alone was thought almost sufficient for the preserving of man's life: its acorns were the principal diet of the old mortals, and the honey, which was commonly found there, presented them with a very pleasant liquor. It was a particular honour conferred on the persons who had merited this crown, that when they came to any of the public shows, the whole company, as well senate as people, should signify their respect, by rising up when they saw them enter; and that they should take their seat on these occasions amongst the senators; being also excused from all troublesome duties and services in their own persons, and procuring the same immunity for their father, and grandfather by his side.

(e) It stood in the Viminal field at a little distance from the gate Flumentalis. It is probable, that the height of the trees and thickness of the wood obstructed the sight of the capitol,

(f) It was called *Flumentalis*, because the Tiber often ran into it, when it swelled high. It is now called *Porto del populo*.

(g) This was a surname given to Juno, the reason of which Cicero explains in the following words. *Nam cum urbs maximo terræ motu concuteretur, nec quiesquam nosset qua victima id mali posset expiari, vox ex Junonis templo audita est, quæ sacerdotes monuit sue gravida terræ motum esse procurandum.*

SECTION XXI. (a) It was a town of the Volsci, a people of new Latium, and lay on the shore of the Tyrrhene sea, between Astura and Terracina. There are yet some remains of this city to be seen in the mountain of the same name, and which at this day are called *La Città Vecchia*.

(b) Cæsar Augustus derived his original from this city. It was a city of Latium, and lay on the Appian road, twenty miles distant from Rome.

(c) Their capital city, Lanuvium, lay to the right of the Appian road, beyond Aricia, eighteen miles from the sea, and near twenty from Rome. It gave birth to Milo, and to the emperor M. Aurelius Antoninus Pius. Sigonius has distinctly shewn the difference between it and Lavinium, commonly confounded by authors. It is now called *Civita Lavina*, or by corruption *Civita Indovina*.

SECTION XXII. (a) The common editions of our author are wrong in reading a *seventh* time.

SECTION XXVII. (a) See book v. sect. 31. and book ix. sect. 34.

SECTION XXVIII. See book vi. sect. i.

SECTION XXX. (a) The name of the colony, at this time complaining of want of inhabitants, had been omitted by the copyist of our author, and while many scholiasts have conjectured it to have been Præneste, Satricum, or Velitæ, Sigonius seems to have rightly substituted Setia, the settling a colony at which place, Vel. Paternulus, book i. places in the eighth year after the sack of Rome by the Gauls. It was anciently a town of the Volsci, standing on the brow of a hill near the Pomptin marshes, to the right of the river Amesene. It is famed for fine wine, from it called *Setine*. The present *Sezze* in the *Campagna di Roma*.

SECTION XXXIII. (a) A female slave was brought into the middle of her temple, where she was first boxed about, and then driven out with ignominy

by the Roman ladies. Then they brought their nephews and presented them to the goddess, praying her to protect them. In their sacrifices, they represented in a natural manner what happened to *Bacchus's* nurses, and what *Ino* suffered from Juno's anger for nursing the son of her rival. *Ino* entertained a jealousy of a female slave, with whom her husband fell desperately in love, and from that time bore an inveterate hatred to all women slaves. The Roman ladies imitated her jealousy and resentment in the festivals they kept in honour of *Matuta*. They forbade all women slaves to enter her temple, except her who represented *Athamas's* mistress. This unhappy woman they boxed and beat in revenge of the injury which had been done to *Matuta*. The carrying their sister's children to this goddess, put them in mind of *Ino's* misfortune, who saw *Athamas* kill her son *Learchus* and then leap into the sea with her other son *Melicertes*; and of her fortunately saving *Bacchus*, the son of her sister *Semele*. The festival in honour of her was kept on the eleventh day of *June*, and was called *Matralia*. Cakes baked in earthen pots were offered up to her. Varro, de Ling. Lat. B. iv. Ovid, Fast. B. vi. Sir Isaac Newton places *Ino's* marriage with *Athamas* in the nine hundred and eightieth year before Christ. Chr. p. 20.

SECTION XXXVII. (a) It is true that from the first institution of military tribunes with consular power to the time when P. Licinius Calvus was first raised to that dignity we compute exactly forty-four years, and in all that time we number no more than twenty-two military tribuneships.

SECTION XXXVIII. (a) 1614*l.* 11*s.* and 3*d.* Arbutnot.

SECTION XLII. (a) This Roman Annalist's beautiful description of that combat may be seen in A. Gell. book ix. chap. iii.

(b) At Allia.

(a) The word *Praetor* signifies commander, and was originally given to all magistrates who administered justice, or had the command of armies, according to Varro, 4. de LL. and after him Nonnius, chap. i. The consuls were vested with both civil and military authority; but being hereby harassed with a multiplicity of affairs, and often obliged to be absent, in time of war, from the city, the patricians at this time prevailed with the people to institute the office of *Praetor*. This magistrate was chosen out of their own order, and had the administration of justice confided to him. To him were added about one hundred and twenty years after, when Rome had grown considerably more populous, and many strangers had come to reside there, the *Praetor Urbanus* and *Praetor Peregrinus*. The office of the first was to decide the differences between citizens, and the last determined causes between citizens and strangers. Some time after they had a court of justice appointed subordinate to them, the members whereof were chosen out of the then twenty-five tribes, five out of each, and were called *Centumviri*, a name they retained when augmented to 180. At first the *Praetor* referred only trivial causes to them, but under the emperors the most important were tried at their bar. *Praetors* were likewise appointed for the administration of justice in the provinces. Their number increased in proportion to the Roman conquests. The *Praetors* held their office one year, were chosen in the comitia by centuries, had their provinces determined by lot, and had almost the same ensigns of honour as the consuls to whom they were subordinate in the field. The *Praetor* of the city, in absence of the consuls, supplied their place, and presided in the senate. Their power lasted till the passing of the Sempronian war.



(b) These games had hitherto been called *magni*, but now they had the name of *maximi*.

(a) These were called *curule ædiles*, because they had the honour to sit in *curule chairs*, which the plebeian *ædiles* had not. Their business was to take care of the temples, theatres, games, markets, tribunals of justice, and the repairs of the city walls; also that no novelty was introduced into religion; and in after times they had the inspection over books that were published, and pieces written for the stage.

### NOTES ON THE SEVENTH BOOK.

SECTION I. (a) The privilege of exposing publicly the images of their ancestors was a mark of nobility among the Romans, but it was never granted but to those who held great posts, and for that reason, he who was raised to the *curule offices* the first of his family, and could produce no portrait but his own, was called a *new man*.

(b) See book iii. section iv. note (b), and book vi. section xlii. note (a) 3d.

SECTION II. (a) See book v. section xiii. note (a).

(b) These scenic shews took their name from the Greek word *σκηνη*, which signifies a shady place, a tent, a pavilion, an arbour or branches of trees, with which the ancients covered their stages, to shade the actors. Afterwards the scene of the theatre of the ancients signified all those buildings which were represented to the spectators on the stage, and which were adorned with decorations which Vitruvius calls *scenæ*.

(c) As the design of music and dancing is to give life and sprightliness to entertainments, they always made a part of the diversions of the ancients. They likewise made them a part of their religious worship, and their festivals and sacrifices were generally accompanied with harmony. The theatrical shews among the Greeks, were nothing but hymns sung in honour of Bacchus, and accompanied with immodest dances. And at Rome the scenical shews were originally nothing but a jumble of licentious songs and comical distortions of body, accompanied with the flute. There are reckoned to have been three sorts of dances originally upon the ancient theatre, the tragical, comical and satyrical. The first called *ἱμμελία*, on account of the decency of its motions and gestures, expressed the seriousness and loftiness of tragedy. The second was called *Cordax*, from a satyr of that name, who passed for the inventor of it. It was so loose and obscene, that it was not fit to be used by any but professed buffoons, and persons who had lost all modesty. The *Sicennus* was a dumb representation of the jests and poignant reflections of satyrical pieces in pleasant gestures. These three sorts of dances were all united by the *pantomimes*, who brought the art to great perfection, and were thought the best dancers on the stage.

(d) The flute was the instrument the Romans most frequently used in theatrical entertainments. The ancients boast much of the agreeableness of its harmony. They give it the name of *Tibin*, to distinguish it from two other rural instruments, which Virgil calls *Fistula* and *Avena*. Horace, in his art of poetry, makes a difference between the flutes which were first invented, and those used in his time. The ancient flute, says he, was not yet adorned with brass. It was small and simple, and had but few holes. It was not so loud as

the trumpet, but charmed the ear with its delightful sweetness. *Tibia non ut nunc*, &c. The double flute which succeeded this, has hitherto been a riddle which the learned have in vain endeavoured to explain. It consisted of two tubes, which were so joined together, as to have but one mouth. These double flutes are called by the ancients, *Tibiae dextræ et sinistræ*, and *Tibiae pares et impares*. That which the musician played on with his right hand, was therefore called *Tibia dextra*, i. e. the right handed flute; and, on the contrary, that which he played on with his left hand, *Tibia sinistra*, i. e. the left handed flute. The former had but few holes, and sounded a deep serious base; the other had more holes, and a sharper and more lively tone. The flutes of different sorts were called *Tibiae impares*, i. e. unequal flutes; or *Tibiae dextræ et sinistræ*, i. e. right and left handed flutes. When two right or two left handed flutes were joined together, they were called *Tibiae pares dextræ* or *Tibiae pares sinistræ*. The Lydian flutes were the same as the right handed flutes; and the Tyrian flutes, or *Tibiae Sarranæ*, the same as the left handed. In a word, the flutes which had the same shape, dimensions, tones, and holes, were therefore called equal flutes. But how the union of two equal and two unequal flutes could make a concert, by unisons, thirds, octaves, &c. we leave to the masters of the art to explain.

(e) They were the inhabitants of Fescennia, an ancient city of Hetruria. Ortelius places it where Cita Castellano now stands. But according to Cluver, it stood at a little distance from the Tyber, below Falerii, where Galéze now stands. The people of this place were the inventors of a sort of doggrel or loose verses, which were a jumble of insipid jests mixed with all sorts of ribaldry. Hence the name of *versus Fescennini* was given to licentious verses.

(f) There is no doubt but the name is derived from Satura, full; the *a* being changed into a *y*. Satura, being an adjective, must be supposed to relate to the substantive Lanx, a platter or charger; such as they filled yearly with all sorts of fruit, and offered to the gods at their festivals, as the primitiæ, or first gatherings of the season. Such an expression might be well applied to this kind of poem, which was full of various matter, and written on different subjects. The satyr was a poignant sort of poetry, which had all the agreeableness of the Fescennine verses, without the obscenity of them. They were repeated on the Roman stage with due cadences, and in true time, i. e. were accompanied with music and dancing. Buffoons metamorphosed into Silenuses, Bacchuses, &c. acted their parts in these pieces, which at first supplied the place of the drama among the Romans, till the stage was improved, and its entertainments became more regular. From these sprung the other kind of satirical poetry; the design of which was to decry vice, inspire men with the love of virtue, and teach them how to make a good use of their reason. Horace and Juvenal have particularly excelled in this kind of poetry.

(g) The profession of an actor was honourable among the Greeks, but among the Romans it was infamous, and unworthy of an honest man. The professed actors could not be incorporated in any tribe, and consequently had no right of suffrage, and were excluded from offices civil and military. A senator who appeared upon the stage was degraded, and a Roman knight lost his privileges. An actress was infamous, and subject to the same laws as common prostitutes. Ulp. B. ii. Par. v. *de iis qui infamiâ notantur*. But the actors of the Attellanae were excepted in this law, so that the Roman nobility confined these performances to themselves.

(h) Some will have them to have been so called, *quasi έξω τῆς ὁδοῦ*, *extra viam*; others, *ἐξω τῆς ὠδῆς*, *extra cantum*. Sigonius, regarding only the first etymology, says, Exode and Episode are the same thing, so called, because they belong not to the pieces in which they are inserted. But Festus generally takes exodium for exitum; and Nonnius from Varra for finem, *ἀπὸ τῆς ἐξόδου*. In this place it is taken for what Firmicus calls *exitum fabellarum*, because when the players went off, they were acted by a company of Roman youth.

(i) Atella lay, according to Cluver. in Campania, between Naples and Capua, in the neighbourhood of Aversa. This city gave name to the pieces called Atellanæ, which the Romans afterwards adopted. This sort of poetry was originally nothing but a collection of impure conceits and lascivious tales, without order or design. But the Roman stage brought it a little into shape, and made it more regular and chaste.

(k) This people, originally of Campania, were a part of the ancient Ausones, who gave their name to Italy. They were anciently called Opici, and, by contraction, Obsci; whence say the etymologists, the word Obscænus came, because these people had the character of being as licentious in their discourses, as they were lewd in manners. According to Tacitus, some pieces called Atellanæ were acted in his time, which were written in the spirit and language of the old Osci.

SECTION III. (a) He was so called from his haughty imperious temper.

(b) For this reason, this nail was called Clavus Annalis, or the annual nail. The country people reckoned their own and their children's age by nails, which they drove into the walls of their cottages. See Petron. satyr. c. 59.

(c) A town of Heturia.

(d) Martianus Capella, chap. ix, observes, that the Heturians gave the name of Nortia to fortune or chance. And Juvenal, speaking of Sejanus, a native of Heturia, Sat. x, explains this term in the same manner.

SECTION V. (a) These tribunes were so called, from the name of Rutilius Rufus, author of the law which empowered the general to name them.

SECTION X. (a) When our author says that Manlius armed himself with a Spanish sword, we are not to imagine that the republic borrowed this sort of sword from the Spaniards. The two nations did not begin to have any great knowledge of one another till the beginning of the Carthaginian wars. Livy therefore means that Manlius's sword was as to length and shape, like those which the Romans afterwards borrowed from the Spaniards. Most antiquaries make it out but twenty-two inches long; and some but fifteen.

SECTION XV. (a) These two tribes added to the twenty-five before mentioned, make in all twenty-seven.

SECTION XVI. (a) The country of the Falisci was a considerable territory among the twelve Lucumonies of Heturia. The people were originally Greeks, brought into Italy by Halesus, who is said to have been the son of Agamemnon.

(b) This city was the capital of the canton of the Falisci. Geographers are not agreed about the situation of it.

SECTION XVI. (a) In order to have assembled the comitia by tribes in a legal manner, several formalities ought to have been observed, which were then omitted. Every tribe ought to have been summoned by name: they could be legally assembled any where but within the compass of Rome, and the law ought to have been proposed three market-days. The tribunes would

therefore have been highly to blame, if they had not put a stop to this growing tyranny of the consuls.

(c) 32l. 5s. 10d. Arbuthnot.

SECTION XVII. (a) There were several places in Italy, called the Salt-pits. 1. That near the ford of Velitræ, in Hetruria, at the mouth of the river Cernina, which retains the same name to this day. 2. That in Apulia, or La Pouille, near the lake called Lago Salvo, in the neighbourhood of the river Cerbalus or Cervaro. 3. The Salt-pits that Ancus Marcius made near the port of Ostia. And lastly, those which the Veientes surrendered up to Romulus, with the Septem-pagium, according to Dion. Hal. at a little distance from the mouth of the Tiber. Though the ancients have distinguished the Salt-pits of the Septem-pagium from those of Ancus Marcius, their neighbourhood makes it probable that they were the same. The Tarquinienses therefore were far advanced into the Roman territory, to the place now called Campo di Saline.

SECTION XVIII. (a) Geographers honestly confess they know nothing of the situation of this city. Only father Kircher places it three miles north of the Tiber, near a place he calls Ampiglione.

SECTION XIX. (a) Kircher supposes it stood on the spot where S. Gregorio stands at present.

SECTION XXI. (a) This is the first time our author mentions these bankers under the name of Mensarii, to whom the consuls committed the management of the public money. Their business was to negotiate it, and turn it to advantage, to receive the revenues of the republic, either in person, or by collectors appointed by them for that purpose, to collect the casual profits arising from confiscations, purchases, sales, or exchanges, and to receive the pledges and securities of every private person. They were looked upon by the Romans as the guardians of the public faith. The chief design of their appointment was to relieve citizens overrun with debts, who borrowed the public money of them gratis, or at a very moderate interest. Their office was much the same as that of the *ραπεζήται* among the Greeks. But these differed widely from another sort of bankers, who were indifferently called *argentarii* and *mensarii*. They were professed money-changers, and kept their shops in the forum Romanum. There they traded for gain, by lending money usually at a great interest. They lived near the place where Tarquin the elder built these old shops for them, which were called *tabernæ argentariæ*. Hence the expression, *as circum foraneum*, which Cicero uses in one of his letters to Atticus, to signify money borrowed at the bank. Public sales were usually made in presence of one of the first kind of bankers, who received the money arising from the sale, and accounted for it with the proprietor, after he had first entered the sum received in his register, which he produced as his voucher, before the prætor, in case of a dispute. The usurious trade of the latter sort of bankers was much decried in Rome. Suetonius mentions, as a most bitter invective, the reproach which M. Anthony and Cassius cast upon Octavius, of being the grandson of a professed banker, who was detested by all the people.

SECTION XXIII. (a) When troops were to be added, the standard, says Festus, or rather two standards, were set up in the capitol; one red, for the infantry; the other blue, for the cavalry. Virgil expresses this ancient custom in this verse,

*Ut belli signum Laurenti Turnus ab arce  
Extulit — — — —*

SECTION XXIV. (a) Our author, and other writers, call this javelin *matara*, *mataria*, and *materia*. It was so common a weapon among the Gauls, that the author of the books *ad Herennium*, which some ascribe to Cicero, makes use of this term to express the whole nation: *nec tam facile ex Italia Materis transalpina depulsa est*. There are some traces of it yet remaining in the French language, since the word *Matras* is used in some provinces in France to signify a javelin.

(b) The cuneus or wedge was in use among the Greeks, and seems to have been transmitted from them to the Romans. According to *Ælian*, it was equilaterally triangular. *Vegetius* gives us the same idea of it, book iii. The wedge, says he, is a body of foot, drawn up into a triangular battalion, so that it grows narrower from the base to the top, till it ends in an acute angle. *Agathias* and *Suidas* compare this body of men drawn up in a wedge to the capital Greek letter  $\Delta$ .

SECTION XXV. (a) Monsieur *Guerin* has translated this passage, *triumphus à Popillio de Gallis actus magno favore plebis, mussantesque inter se rogitant, Popilius triumphat des Gaulois, au grand contentement du peuple, qui demandoit avec autant de fierté que de joie*; where by rendering *mussantes* with as much pride as joy, has directly contradicted our author.

(b) The ancients comprehended under the name of Greece, not only that peninsula, now called *Morea*, which lies beyond the Adriatic and Ionian seas, but also all the neighbouring nations which lay on this side of these seas, viz. Sicily and the southern parts of Italy. Several Greek colonies had dispersed themselves, especially in these two countries, where they had established their own government, language, and customs, after they had subdued the natives. Hence the name of Great Greece was given to all that part of Italy, which was inhabited by those who were originally Greeks. But as to the particular limits of it, geographers are far from being agreed.

(c) We are not here to understand our author in too strict a manner. The army raised on this occasion amounted only to forty-five thousand men. For *Dio* says, that *Augustus* kept twenty-three legions in constant pay. But to explain *Livy's* meaning aright, we must conclude, that in his time Rome alone, when arrived at her highest pitch of grandeur, could scarcely raise so many soldiers upon the spot; so much were her citizens enervated by indolence, luxury, and pleasure.

SECTION XXVI. (a) The Adriatic sea was called *mare inferum*, or the lower sea; and the Tyrrhenian sea was called *mare superum*, or the upper sea.

(b) *Macedoniana*. At this time *Philip*, the father of *Alexander the Great*, reigned over the *Macedonians*, whose power was become formidable to all his neighbours.

SECTION XXVII. (a) See book vi. of our author.

SECTION XXVIII. *Moneta*. *Juno* was so called either *a monendo*, because she gives wholesome counsel to those who consult her, or because she was believed to be the goddess of money. A temple was built to her on the capitol, in the same place where the house of the rebellious *Manlius* had stood, and in it were kept those mysterious books in which the fate of Rome was pretended to be foretold. This temple afterwards became a public mint; and from thence the medals which were stamped for current coin in trade took the name of *Moneta* or money.

(b) This town still retains the same name.

SECTION XXIX. (a) The country of the Sidicini lay beyond the Liris or Rigliano, and on this side the Vulturua. It was bounded on the west by the territory of the Volsci; on the east by that of the Aurunci; on the south by Campania and the Tyrrhenian sea; on the north by a part of Samnium. This country is at present one of the western parts of Terra di Lavoro.

(b) This mount stood in the neighbourhood of Old Capua, and overlooked that city. It is now known by the name of Il Monte san Nicolo. The southern part of it, which lay towards Old Capua, is called in the language of the present natives, Montagnuola. It was there, according to Hahstenius, that Annibal pitched his camp.

SECTION XXXII. (a) This mountain, according to Pliny, b. xiv. was formerly famous for the goodness of its wines; it is not far from Puteoli, Baise, and the lake Lucrinus, and is now called Il Monte Barbaro.

(b) A city in Samnium lying to the east of Capua. Virgil, book vii. says that the inhabitants of it led a laborious life,—*pariterque Saticulus asper*.

(c) Something seems to be wanting in the original, since our author, in no other place that we know of, mentions the Romans driving the Gauls from the continent to their ships, therefore we have with Dujatius added the word *Græci*.

SECTION XXXIV. (a) The Sagum of the Romans was a military habit, open from top to bottom, and usually fastened on the right shoulder with a buckle, or a clasp. Its shape was the same with that of the Paludamentum of the general and the Chlainys of the Greeks. The only difference between them was, that the Paludamentum was made of a richer stuff, was generally of a purple colour, and both longer and fuller than the Sagum.

SECTION XXXV. (a) The Romans divided the night into four equal parts. At each of these the soldiers mounted guard in their turns. At every station four centinels were placed, who were relieved by four others after the first watch, and so on successively. In order to prevent any surprise, the general gave the legionary tribunes the watch word a little before the sun was down, written on tables of wood. These tribunes communicated these tables to a chosen number of soldiers, called for that reason *Tesserarii*. They were chosen out of any part of the army, whether horse or foot or auxiliaries. These men, whose business it was to do it, went among the legions, and distributed these tables among the centurions, who communicated them to the centuries: so that one of these little tables called *Tesseræ*, was conveyed from hand, first to the lowest centurion, and by him to the next above him, and so on to the first centurion, who returned it to the tribune. This was the method of giving soldiers the word.

SECTION XXXVI. (a) Our author calls the general's quarters, *Prætorium*, from the name of *Prætor*, which was given to all persons in general who were invested with a supreme authority. *Quintius Curtius*, *Junia* and *Cornelius Nepos* often use the word *Prætorium* to signify the quarters of the kings and foreign officers at the head of the troops.

SECTION XXXVII. (a) The Roman generals in all ages used to harangue their troops, either before any important expedition to encourage them to fight, or after the action to give those their due commendation, who had distinguished themselves by their valour. And then it was he used to distribute

the military rewards among the brave. He was usually raised upon a tribunal of earth or stone; but sometimes harangued on horseback.

(b) The crown which was given to him who had delivered the Romans or their allies from a siege, was called *obsidionalis*. It was not like the other crowns which were given by the generals to the soldiers, but presented by the common consent of the soldiers to the general, and was composed of the grass growing in the besieged place.

(c) The *Sextarius* of the Romans was a liquid measure, containing in weight twenty ounces; that is, it was the sixth part of the *congius* and the forty-eighth part of the *amphora* of the ancients. So that the Roman *Sextarius* was equal in content to two *heminae* or twelve *byathi*, which were a sort of cups or bowls which held about one half ounce of liquor, more or less, according to the weight of the liquor. The *Sextarius*, according to Dr. Arbuthnot, contained one pint, five thousand six hundred and thirty-six parts of wine measure.

SECTION XXXIX. (a) This was the name which the ancient Volsci gave the city of Terracina which stood on the borders of the Pomptin marshes. Horace, b. i. Sat. 5, tells us, that it was situated on a rock.

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Sabinae

*Impositum saxi, late candentibus Anxur.*

A little above this city, near the river Ufens, now the Aniene, there was a neck of land or narrow passage between the sea on one hand, and mountains on the other, and this was what was called *Lautulae*. It was in the road to Fundi. Varro derives the name *Lautulae* from the verb *lavare*. There were two places, the one within and the other without the city of Rome, called by the same name from the springs of hot waters in which the Romans bathed themselves. The *Lautulae* near Anxur was probably so called either because it was washed with rivelets from the neighbouring springs, or was overflowed with torrents from the mountains, or lastly, because it lay bordering upon the sea and the Pomptin marshes.

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### NOTES ON THE EIGHTH BOOK.

SECTION I. (a) It was the custom for the pagans to purify themselves after a battle, from the pollutions they had contracted by shedding human blood. They imagined a goddess named *Lys* presided over these expiations. She had this name from *luendo*, purifying, and they sacrificed to her by burning the arms and spoils of the enemy.

(b) The Samnites had the name of Sabines, though they had separated from that people, and hence their country was often called *ager Sabellus*.

SECTION III. (a) He was the xviii<sup>th</sup> king of Epirus, from Pyrrhus son of Achilles, and brother-in-law to Philip king of Macedon.

(b) Old Epirus comprehended all the countries lying between the Ionian sea to the west, *Thessaly* to the east, *Macedonia* to the north, and *Achaia* to the south and east. Among the people that formerly inhabited it were the *Molossi*, *Chaerones*, *Thesproti*, *Amphilochi*, *Aceruanes*, *Athamanes* and *Dolopes*. It was famous for good horses.

(a) See book vi. sect. 30.

(b) See book i. sect. 56, note (b).

(c) See book i. sect. 56, note (c).

(d) Ibid. and book vi. sect. 21.

SECTION IV. (a) See sect. xii. of this book

SECTION VI. (a) See various conjectures concerning the original of this people; Plin. Nat. b. 3. c. 12. Solinus, c. 8. Virgil, *Æneid*. b. 7. But Servius and Festus's opinion of their being part of the Sabines, seems most probable. Their capital was Marubium. Their country is now a part of the further *Abruzzo*, near the lake *Celano*.

(b) See book iv. sect. 37.

(c) By the *dii manes* were meant the gods of hell. Souls of the dead were likewise comprehended under the general term of *manes*. The chief motives of making such consecrations as the present, was an opinion that the infernal gods were so revengeful, that they could not be appeased by the ordinary sacrifices.

SECTION VIII. (a) See book i. sect. xliii. note (c).

(b) Ibid. note (i).

(c) *Ordo* and *manipulus* are frequently put to signify the same thing, though the first here plainly differs from the last, which is the same with what our author elsewhere calls *centuria*, and Polybius *pars*. See Lipsius de. mil. Rom.

(d) So called from *hasta*, the javelin they bore, whereof each man had seven.

(e) They were so called, because originally they were placed in the front, and began the attack. And in those days they were the richest and noblest of the Roman youth. They fought with swords.

(f) The two first lines were called *antipilani*, from their being posted before the triarii, and bearing the javelin called *pilum*.

(g) Lipsius corrects the common reading here into *castrum unanquemque PRIMAM, pilum vocabant*, which correction we have followed. The *pilus* from whence they took this denomination was a missive weapon, which in a charge they darted at the enemy. It was commonly four square, but sometimes round, made of a piece of wood three cubits long, and a slip of iron of the same length, hooked and jagged at the end. Abundance of pains were taken in joining the two parts together, and it was done so artificially, that it would sooner break in the iron itself, than in the joint. Every man had two, to which number Virgil alludes, *Æn.* i. ver. 317. and Statius, *Thebaid.* 2. C. Martius contrived them after a new fashion in the Cimbrian war. Before, the joint of the wood and iron was fastened with two iron pins, one of which he let remain, and pulling out the other and supplying its place with a wooden peg. This he so contrived that when it was stuck in the enemy's shield it did not stand upright, but the peg breaking, the iron bended, and so the javelin sticking fast by its crooked point weighed down the shield.

(h) So named because they made the third line. They were called *Pilani milites*, from bearing the javelin called *Pilum*.

(i) In allusion to *Ros, dew*; for as the dew uses to precede rain, so they charged first of their corps, and before the heavy armed soldiers.

(k) The *accensi* here mentioned were a body of men kept for recruiting the legions, when diminished by natural death or slaughter. They fought in the intervals of the lines with slings and other missive weapons.

(l) Between the first and second lines was a space of fifty feet, and the triarii were drawn up, one hundred feet behind the principes. There were



likewise spaces left between the companies of each line; so that when the hastati were repulsed they retired softly, and fell into the intervals of the ranks of the principes. And if both together were obliged to give way, they all fell back into the intervals of the triarii. And being thus all formed as it were into a firm mass, made a more vigorous charge than before, which if the enemy repulsed, the Romans lost the day, having no farther reserve. But in marshalling their three lines, they took care to guard against the enemy's passing through the intervals to their rear. For the manipuli of the second line were drawn up facing the openings of the first, and the manipuli of the third facing those of the second. This disposition greatly facilitated the retreat of the first line when obliged to fall back.

(m) The author of the lives of illustrious men takes this town for a river. Cluverius places it not far from the present *Somma*.

SECTION IX. (a) The haruspices were of opinion, that the surest presages were to be taken from the livers of the victims. Those livers they usually divided into two parts, one of which they called *hostilis*, which was to foretell what would befall the enemy, the other *familiaris*, what would happen to the Romans.

(b) See book i. sect. viii. note (d).

(c) These divinities the Romans called *dii novensiles*, the last of which words is differently interpreted. Some explain it of the worship of the new created gods; or of those, whose worship the Romans had lately adopted from foreign countries. Others understand it of the nine muses. Varro thinks it means the nine divinities which Tatius brought to Rome from his country, viz. *Lara*, *Vesta*, *Minerva*, *Feronia*, *Concord*, *Fidelity*, *Fortune*, *Chance*, and *Health*. And several read *Novensides*, understanding thereby the gods, who presided over novelties.

(d) See book v. sect. xlv, note (b).

SECTION X. (a) Dujatius prefers this reading *Hastatis*, in the edition of Becharius, to the common *hastis*.

(b) This city afterwards became very famous, as will appear hereafter, for the death of Marius who hid himself in its marshes. Some geographers place it, very improperly, three miles on the east side of the Liris, where *Trajetto* now stands. Cluverius says, that there were remaining in his days some stately ruins of the old Minturnæ, a little above the mouth of the Liris; at a place commonly called *Barca di Garigliano*; and among the rest an aqueduct, amphitheatre, and the ruins of several ancient monuments.

SECTION XI. (a) See book i, sect. i. note (l).

(b) It stood in the country of the Aurunci near the river *Liris* or *Garigliano*, on this side mount *Massicus*, now monte *Dragone*. It gave its name to a district reaching from *Minturnæ* to *Mola*. This district must not be confounded with the country of the *Vestini*, a people of *Samnium*.

(c) It was so called perhaps from *tribus fanis*, three temples, or from *fano trium deorum*, the temple of three gods. It was under the dominion of the Aurunci, and lay beyond the Liris, a little way from *Sinuessa*.

(d) It lay in *terra di Lavoro*, where now stands *Rocca di Mondragone*.

(e) It lay on the confines of the Aurunci and Campanians, and was much celebrated for its fertility and excellent wines.

(f) It rises out of the Appennines runs by *Alpina* and *Venafrum*, and there receiving it into the present river of *Fiume de Benevento*, waters *Casilinum*, in

the neighbourhood of *Capua*, and then loses itself in the Tyrrhene sea, a little below the city *Vulturnum*; or *Capua*. Its name now is *Vulturno*.

(g) See book i. sect. i. note (i).

(h) They were celebrated on the 27th of April.

(i) Fourteen pounds, ten shillings and seven-pence halfpenny. Arbuthnot.

SECTION XII. (a) In some editions of our author, we find *Fenectania*, and in other, *Senectania*. Glareanus confesses he can make nothing of either. Dujatin, after several conjectures, overthrown by the too great difference of the names, and distant situation of the places which he mentions, thinks *Ferentinis* the true reading. But let the reader follow his own judgment.

(b) It lay between *Præneste* and *Tusculum*. Cluverius's opinion seems to be best founded when he says, it stood where now stands *Galliano*. Holstenius thinks rather *Zagarollum*; and Kircher, the present *Osteria d'Osa*.

SECTION XIII. (a) The river *Astaro*, which others call *Stura*, watered the *Pomptin* territory, which is at present part of the *Campagna di Roma*. It discharges itself into the *Tusculan* sea; and gave name to a small island near the mouth of it, six miles beyond the promontory of *Antium*, between that city and *Circæum*. *Cicero* had a country house there, and was killed near to it.

SECTION XIV. (a) Three pounds, four shillings and eight-pence, according to Arbuthnot.

(b) It was called *templum*, because it was consecrated by augury.

SECTION XVI. (a) That nation was originally Grecian, as the colonies were which afterwards came over into this country. *Pliny* observes, c. 5. book iii. that the *Ausones* gave their name to that part of the *Mediterranean* sea, which reaches from the sea of *Sicily* to the country of the *Salentini*. This was then called the *Ausonian* sea, according to *Dion. Hal.* himself, and not the *Sicilian* sea, as *Strabo* pretends, who makes the latter the *Ausonian* sea; though he is forced to confess, that the *Ausones* never inhabited the coasts of *Sicily*. They first planted themselves in that part of *Italy*, which comprehends *Sarunium*, *Campania*, *Brutium*, and *Japygia*. But afterwards being driven from thence by new conquerors, they were shut up within very narrow limits, in the neighbourhood of *Cale*, whose territory they had possessed from time immemorial, according to *Festus*. But this author is much mistaken in his calculations, when he says that *Anson*, the son of *Ulysses* and *Calypso*, gave name to *Ausonia*, and built the city of *Aranca*. This account is manifestly fabulous. At least it cannot be reconciled with that of *Livy*, who tells us, that this city was not founded till eight hundred years after the taking of *Troy*. What *Dion. Hal.* says of *Anson*, the son of *Ulysses* and *Calypso*, that he had reigned in the territory of *Rome*, savours much of those false traditions, which the whole tribe of poets had made venerable. Nor is more stress to be laid on what *Hellanicus* of *Lebes* relates, viz. that the *Ausones*, being driven away by the *Japyges*, passed over into *Sicily*, with their king *Siculus*.

(b) The city of *Cale* stood in *Campania*, between *Teannum* and *Capua*, on this side mount *Marsicus*, and north of mount *Gallicula*, which separates the lands called *Stellates campi*, from those of *Cale*. Its territory produced excellent wines, which *Horace* says were kept for the tables of the great men in *Rome*. The ancient naturalists say there was a spring in the neighbourhood of this city, the water of which had the quality of making people drunk. *Ferrarius* and father *Briet* are mistaken, in distinguishing the city of *Cale*, from that which they call *Calenum*, and which, they say, still subsists, under the name

of Carniola. The resemblance of the names made the poet Silus say, book viii, that Cale was founded by Calais, one of the Argonauts, the son of Boreas and Orithia, according to the fabulous tradition of the mythologists. Cale is now called *Calvi*, and gives title to a bishoprick in the kingdom of Naples.

(c) See book v. sect. vii. note (a).

(d) Ibid. sect. v. note (b).

(e) Ibid. note (a).

SECTION XVII. (a) It was a maritime town near the mouth of the *Selo*. The natives call it *Pesti* at this day. It is but a village.

(b) So called from a castle between *Lanuvium* and *Pometia*.

(c) It took its name from the city *Scaptia*, which Cluverius places in the territory now called *Paserano*. But father Kircher places it by *Longhessa* near the *Anio*, four miles from *Pedum*.

(d) It lay between *Nola* and *Capua*, and retains its first name to this day.

SECTION XIX. (a) Their capital city belonged to the Volsci, was situated on the confines of the *Campagna di Roma*, and is now called *Falvaterra*.

SECTION XX. (a) It was a rod with two serpents twisted round it, and was the symbol of peace.

(b) The name of *Semones* was given to those who had obtained a place among the gods, though inferior to the great gods. As *Herculus*, *Æneas*, *Romulus*, &c. The *Sancus* in question was the same with the Grecian *Hercules*, who was reckoned the avenger of breach of faith. *Hemones* according to *Lipsius*, was used in old Latin for *homines*, hence comes the word *Semones*, as it were, *Semi-homines* or demi-gods.

(c) See sect. xiv. of this book.

SECTION XXII. (a) A city situated on the right bank of the *Liris*. It was destroyed in the six hundred and thirty-second year of Rome by *Opimius*. The place where it stood is now called *Ceperano*, where the bishop of Aquinum has his residence.

(b) Between Naples, and *Toredi Greco*, now *Poggio Reale*; but according to *Holstenius*, the present *St. Jouanni Atteduccio*.

(c) See book iv. sect. iv.

(d) *Chalcia*.

(e) *Negroponte*, an island in the *Ægean* sea.

(f) Over against cape *Misenus*. It is now called *Ischia*.

(g) Over against the same cape, and now called *Procida*.

SECTION XXIV. (a) A city of *Epirus* where was a famous oracle and temple of *Jupiter*.

(b) This is the famous *Acheron*, which rises in the marshes of *Acherusa*, and empties itself into the gulph of *Larta*.

(c) In the country of the *Molossi*.

(d) *Gulpho di Larta*.

(e) Of *Lucania*. It stood between the rivers *Seno* and *Agri*, near the present *Policaro*.

(f) Now called *Consenza*, the capital of hither *Calabria*, near the river *Crati*.

(g) A city of *Apulia*; its ruins are to be seen a mile from *Manfredonia*.

(h) According to *Pliny*, it was built by the people of *Crotona*, on the coast of the *Tyrrhenian* sea, a little way from the *Savato*, near the gulph of *St. Euphemia*. *Barri* believes it stood near *Nuceria*.

SECTION XXV. (a) Descended from the Samnites. They inhabited the country called Great Greece, extending on the one hand to the Tuscan sea, and on the other to the gulph of Tarentum on the Sicilian sea. They are divided from the Picentines by the river Silarus, from the Bruttians by Laus, and from the Apulians by the Bradano. The greatest part of it is now called the Basilicata; that part to the west is called a principality: and in the middle of it is part of the hither Calabria, a province of the kingdom of Naples.

(b) They inhabited a country divided into two cantons. The first formerly called Apulia Daunia, now Puglia Piana, part of Capatinata, towards mount Garganus, between the rivers Fortoræ and Cervaro. The second, called Apulia Peucetia, comprehends at present a part of Capatinata, between the rivers Cevaro and Offauto, the territory of Bari, a part of the Basilicata, and of the territory of Otranto. So that the whole country of Apulia was bounded to the north by the Trento, or Fortore, and the Adriatic sea, as far as Brindisi; to the south by the isthmus between Brindisi and Tarentum, from that to the Bradano, which separates this province from Lucania; and to the west by the country of the Hirpini from the head of the Bradano to that of the Fortore. It extends eastward and northwards to the coast of the gulph of Venice, southward to the gulph of Tarentum; and to the westward is bounded by part of the Basilicata, the hither and further principalities, the county of Molisa, and a part of the further Abruzzo,

(c) Stands on the banks of the Vulturinus, and is now called Alif.

d) Now called Cariffe.

(e) Ruvo, an episcopal city on the Apennines.

SECTION XXIX. (a) See book x. sect. iii. note (a).

(b) We find no traces of Cutina. Cluverius supposes an error has crept into the text, and that Cutina should be read Ausina, now called Ofeno.

(c) Quite unknown to geographers.

SECTION XXX. (a). Quite unknown.

SECTION XXXVIII. (a) The Tusculans were incorporated into the Papirian tribe, and had great influence in it.

## NOTES ON THE NINTH BOOK.

SECTION II. (a) Cluverius takes old Calatia to have been the present Caiasso or Gaiasso in the Terra di Lavoro. Holstenius mentions two; one between Capua and Beneventum, vulgarly called Galazze; the other a fortress below Caserta.

(d) Ancient geographers place it below Teanum towards the south, not far from the Servaro, in Apulia. It is since called Necera delli Saraceni, and Lucera delli Pagani.

(e) Caudium was a city belonging to the Hirpini according to Pliny. But Ptolemy says it belonged to the Samnites. Cluverius supposes it stood in the present Airola, and near it he places the Caudian pass near the city of Agatha. The Isclero runs through the middle of this pass into the Vulturinus. Holstenius, on the authority of Erchembert's history of Lombardy, and Leo of Ostia's chronicon, places Caudium on the ground where Arpaia now stands, in the further principality, on the confines of Terra di Lavoro. As for the pass, he

finds it in the way leading from Arpala to Arienzo. This pass is near *Le Furchie*.

SECTION V. (a) See book i. sect. xxiv.

SECTION XIII. (a) On the banks of the Cervaro, six miles from Foggia, now called *Arpe*.

SECTION XVI. (a) It stood beyond Venusium, and is now called Fiorenza.

SECTION XX. (a) See note (e) following.

(b) Their capital Canusium was built by Diomedes.

(c) So called from its being settled on the *Ufens*, now the *Aufente*, which runs into the sea on the confines of Latium, near Terracina.

(d) So called from the hill *Faleruus* in Campania.

(e) Their city *Theate* lay in the hither Abruzzo, in the canton of the *Marrucini*, and not in Apulia. It must therefore be a mistake of the copyists who wrote *Theates* for *Teanenesis*, whose city stood on the *Fortore*.

(f) It lay a little above the present *Chireusa*, in a large valley, part of the *Appennines*, called mount *Vultur*, lay betwixt it and *Venusium*. It is now called *Fiorenza*.

(g) *Cluverius* calls it *Episcopia*, near the river *Senno*. *Holstenius* proves it stood over against the *Appennines*, near the river *Laino*, in the place now called *Rotunda*.

SECTION XXI. (a) It stood on the frontiers of Samnium and Campania, near the present *Caserta*.

(b) If there really was anciently a city of this name, no traces of it remain now. *Cluverius* thinks our author means *Plestina* in the country of the *Marsi*.

SECTION XXII. (a) The learned are of opinion, that here ought to be added the following names: *L. Papirius Cursor*, and *Q. Publilius Philo*, both a fourth time. They certainly were consuls this year, and were not omitted by our author, but by some careless copyist.

SECTION XXVIII. (a) Now *Boiano*, in the county of *Molise*, in the kingdom of *Naples*. It is situated at the foot of the *Apennines*, near the head of the *Biforno*.

(b) This city was called *Suessa Aurunca*, both because it stood in the country of the *Aurunci*, and to distinguish it from *Suessa Pometia*, formerly one of the most considerable cities of the *Volsci*, near the *Pomptin marshes*.

(c) Over against the territory of the *Volsci*, towards the promontory of *Circeum*, there were several islands, which our author calls *Insulae Pontia*. The greatest of them was, by way of eminence, called the island of *Pontia*. It lay between the island of *Palmaria*, now *Palmaruola*, to the west; and the island of *Sinonia*, now *Sanone*, towards *Cajeta*, to the east. It is about thirteen thousand geometrical paces, that is, about four leagues and a half from the continent; and we must take care not to confound the island of *Pontia* here spoken of, with another of the same name, which was one of the *Aeolian Islands*, in the *Lucanian Sea*.

(d) The old editions of *Livy* do not agree, as to the name of the second city, to which the Roman senate had resolved to send a colony. In some, it is *Minturnæ*, *Minturnæ* and *Casinum*; in others, *Livy's* words are *Veturum & Casinum*; and lastly, some, instead of *Interamnæ*, have *Internæ*. *Gelenius* thinks it ought to be, *Intertiam Casinum*; as if *Casinum* had been the third place after *Suessæ*, and the island of *Pontia*, to which the senate had determined to send a Roman colony. But *Sigonius* thinks these old editions ought

to be corrected, and the text run thus, *Interamnæ & Casinum*; and his authority for this is that of Velleius Paterculus, b. i. This author says, that the republic sent a Roman colony first to Suessa, and then to Interamna: and Livy himself says, b. x. that the latter had the title of a colony, when the Samnites attempted to take it. Interamna stood in the country of the Volsci; and geographers give it the surname of Lirinas, because its district was watered by the Liris. Cluverius thinks the ruins found over against Ponte Corvo, are the remains of this city. But Holstenius will have it to have stood in the place where Torre di Teramine now stands. Pliny says of the inhabitants of Interamna, *Interamnates Succusani, qui & Lirinates vocantur*. We cannot conceive, why the Interamnates were called Succusani, unless, as Cluverius observes, this denomination was given to them on account of a village near Interamna, called Succusa. But Holstenius interprets Succusani, by sub Casino, as signifying, that Interamna was not far from Casinum. This name distinguished it from several other cities, of which we shall speak in another place.

SECTION XXIX. (a) We may form some judgment of the Appian way, from the description Procopius gives of it, in his first book, of the Gothic war. This way was made, says he, nine hundred years ago, by the order and direction of Appius Claudius, who was then censor. It reached from Rome to Capua, which is one hundred and forty-two miles, or about forty-seven leagues, at the rate of three miles per league. It was broad enough for two chariots to go a-breast, without incommoding each other. The stones with which Appius built this great work were like the hardest flints. These he brought from a great distance, and procured the most skilful workmen to square these pieces of rock, and make them smooth with chisels: and with them they made so good a pavement, that the joints of the stones were scarce perceptible. These stones were joined so artfully together, without any cement, that they looked like one single stone for several miles together. To which Procopius adds, that this vast work, consisting of such immense quantities of materials so artfully disposed, continued whole in his time, having then received no injury from carts and carriages. But he is mistaken, in supposing that Appius Claudius lived nine hundred years before him; it was not so much by at least fifty years. This famous road began at the gate Capena; and did not, for a great while, reach farther than Capua; though the author of the lives of illustrious men gives Appius Claudius the honour of having carried the Appian way from Rome quite to Brundisium. *Appiam Viam Brundisium stravisse*. But it is certain, from the historians, that it reached thither in the beginning of Augustus's reign. *Brundisium longæ finis chartæque viæque*, says Horace, Sat. lib. 7. History has not told us who was the author, or manager, of this second work: but it was probably done by the direction of Julius Cæsar. Plutarch gives us some proof of this, when he says, that the Roman people committed the inspection of the Appian way to Julius. It is very probable, that a Roman of Cæsar's spirit, who formed none but great designs, might resolve to gain himself reputation and esteem, by finishing what another had so gloriously begun. And what confirms this conjecture is, that Plutarch says he spent great sums of money upon the Appian way, the inspection of which was committed to him.

(b) These rivulets came from several places, and united near the territory of Tusculum, or Frascati. All the water of them was conveyed through different channels to a common reservoir, seven hundred and eighty paces, to the right-

land of the road to Præneste, now Palestrina, between six and seven miles from Rome. From whence it was carried by an aqueduct, after long turning, and windings, to the Salt-pits, near the gates Capena and Trigemina. This subterraneous canal was eleven miles, and one hundred and thirty geometrical paces long: and near Rome it was raised above ground, and carried sixty paces on arches. The waters which were brought so far, were conveyed all over Rome, by the help of twenty basins, or reservoirs, made in different quarters of the city for that purpose, and especially in the Circus, for the *Nau-machiæ*. These were representations of sea-fights, and a part of the Circensian games. Above one hundred and sixty years after, according to Frontinus, in his book *de aquæductibus*, the senate ordered Marcus Titius, prætor of Rome, to repair this aquæduct, and some others, the stone-work of which was decayed by time, and the continual friction of the waters. But Pliny and Plutarch call this prætor Quintus Marcius; and the former gives us this account of these repairs: *Appiæ Anienis, Tepula Ductus, reficere Quintus Marcius jussu a senatu, novam a nomine suo appellatam cuniculis per montes actis intra prætura suæ tempus adduxit.* lib. xxxvi. c. 15. Some commentators on our author are mistaken, in saying, that the water conveyed to the city by Appius was called Aqua Marcia, after its aqueduct had been repaired by Marcius's orders. It will hereafter appear, that this name belonged only to the water brought to Rome, in a much more magnificent aqueduct, for which the city was indebted to this magistrate. See book xvi. sect. lxi. note (a).

(c) Dionys. Hal.'s account of the priesthood of the Potitii, is this. Hercules being acknowledged to be a god by Evander, and the people of Latium, he himself settled the order of the sacrifices which the nation engaged to offer him, every year. He committed the care of his worship, and gave the priestly offices, to two of the most noble families in the country, those of the Potitii, and Pinarii: and in length of time the former gained some advantage over the latter. They had, by way of preference, the right of beginning the sacrifices, and sharing the flesh of the victims among them. The Pinarii were not permitted to partake of them: and in all the ceremonies, at which it was necessary both families should assist, they were always inferior to the Potitii. This punishment was the effect of their negligence. They were ordered to be at a sacrifice very early in the morning, and did not come till the entrails of the victims were consumed. Nevertheless, adds Dionys. Hal. this priesthood is not continued down, in either of these families, to our time; it is now discharged by slaves, bought with the public money.

Festus says, that Appius Claudius gave the Potitii fifty thousand asses of brass for their priesthood, which the censor gave to slaves: and by way of punishment for this contempt, the whole race of the Potitii was, according to him, extirpated in the space of thirty days. But in this he differs from Val. Maximus, who only says, that thirty persons of that family, which was divided into twelve branches, died at the end of the year.

(d) There were several temples dedicated to Hercules in Rome. That here spoken of was in the ox-market, near the altar dedicated to the same god, and called Ara Maxima. It was round, but not comparable to the others for magnificence, and had nothing to recommend it but its antiquity. Plutarch, and the author of the lives of illustrious men, say, that women and slaves were forbidden to enter this temple. The mythologists say on this occasion, that as Hercules was returning from Spain, and bringing into Italy the oxen he

had taken from Cacus, he was one day very thirsty, and desired a woman to give him some drink, which she refused, (says Aulus Gellius, b. xi.) under pretence, that she and her companions were celebrating a festival in honour to the good goddess. She urged as the reason of her refusal, that men were by the laws of religion forbidden to taste of any thing which has been offered, on that day, by a woman. This answer, it is said, made Hercules very angry; and he, by way of reprisal, enjoined the Potitii not to suffer any woman to partake of the sacrifices made in honour of him. Pliny and Solinus relate it as a miracle, upon the credit of a fabulous tradition, that dogs and flies never came into the temple of which we are speaking: and they establish the truth of this pretended miracle, upon another yet more ridiculous. According to them, Hercules was much troubled with the flies, which swarmed about a victim he was offering to Jupiter; and in his passion cursed the god Myagros, so called from the name the Greeks gave those insects. And Pausanias vouches for much such another story. He says, in his description of Greece, that Hercules being much molested by a swarm of flies, had recourse to Jupiter Ἀρόμνος, or fly-chaser: and after he had offered sacrifice to this god, he had the pleasure of seeing these little animals take their flight, and retire beyond the river Alpheus. To which Pliny and Solinus add, that the sight of Hercules's club frightened away the dogs, as he was sacrificing; and that none of them entered his temple ever after. These fables, how incredible soever, ought to be mentioned, in order thereby to discover the rise of the Roman superstitions. The reader will, no doubt, be surprised at the extravagancies of so monstrous a religion, and at the credulity of those who could coolly and deliberately relate facts of this nature. As to the altar at Rome, called Ara Maxima, it has already been mentioned, book i, sec. 7, and note (e). To which we shall only add, that the Romans had so great a veneration for this ancient monument, that several of them offered up to Hercules the tenths of their goods, on this altar. They pretended to imitate thereby this fabulous hero, who sacrificed on this very altar the tenth part of the oxen he had taken from Geryon. But they, generally speaking, thought to get by this offering. They hoped to have it returned an hundred-fold, and believed that it would make them very prosperous. And they founded this hope on a pretended promise Hercules had made, of greatly enriching those who should constantly give him a part of their goods. Fulvius mentions an Hercules of gilt brass, which was dug up, in his time, near the place where the great altar, or Ara Maxima, stood. Marlin says, that it was found in the ruins of an old temple, which was destroyed in the Pontificate of Sixtus IV. The statue is yet to be seen in the apartment of the Conservatores. But it does not seem to be the same statue of Hercules which had been erected in the ox-market. The head of this statue was veiled, according to Macrobius; who says, Saturnal. b. iii. that it was usual to offer sacrifice in the temple of Hercules, over against the old altar, bare-headed, out of respect to the god, who was covered. *Custoditur in eodem loco, ut omnes aperto capite sacra faciant. Hoc fit ne quis in Aede dei habitum ejus imitetur. Nam ibi aperto ipse capite est.* Whereas, the statue we now have has its head uncovered.

SECTIO XXXI. (a) In Campania there was so thick a forest between Cumæ and Puteoli, that it is said, the wild beasts could scarce penetrate into it. In the midst of this forest was a lake of sulphureous water, which emitted so malignant a vapour, that the birds which flew over it, were thought to be suf-



focated by the infection of the air. The poets call it the mouth of hell. The lake was called Avernus. Virgil ascribes this infectious quality to a deep cave in the neighbourhood. The Avernus was surrounded with hills, covered with a very thick forest, which the pagans had superstitiously consecrated, as a venerable place. This lake was not above five stadia in compass, according to Strabo; but he says it was an abyss, and no bottom could ever be found in any part of it: and for this reason the poets fancied it had a communication with hell. But nevertheless, it was sounded some ages after, and found to be three thousand, five hundred and seventy feet deep. According to Maximus of Tyre, the fabulous cave we have been speaking of uttered oracles. Before any person was admitted into it, sacrifices were offered, and libations made, and certain prayers addressed to the infernal gods. After this, he who came to consult the oracle, called up the soul of a dead relation or friend: upon which the phantom appeared, answered his questions, and revealed to him what should happen. Near this lake there were several springs of warm water, in which were found some little black fish, of a very bad taste; and those of the lake were of the same colour and smelled of sulphur. Near this place are the remains of a sumptuous temple, which is said to have been dedicated to Pluto. And Diodorus Siculus, book iv, speaks of another temple built by Hercules, in honour to Proserpine. But the mineral waters near the Avernus make some think that these ruins are the remains of a magnificent bath.

(b) It is difficult to conceive how a Roman soldier, completely armed, could be able to make long marches, without sinking under the vast weight he carried. And yet all the Roman historians positively declare, that the legionaries were often obliged to carry provisions, as biscuit, salt meat, &c. for fifteen days, and sometimes for a month; besides their heavy offensive and defensive weapons, and the utensils necessary for common use, and their military works; and besides, a certain number of stakes for palisades for their camp, and the instruments for cutting wood, and other necessities for the army, as there was occasion. Insomuch, that the Spaniards compared Marius's soldiers to mules, as Plutarch tells us, in his life of that general. Men born in a city wholly given to war, and who commenced soldiers as soon as they came into the world must be such. This martial genius was hereditary in a nation which placed their chief glory in heroic actions. It is well known, that all the nobility, as well as people, were without any distinction, obliged to serve their country in the legions, a certain number of years. Every one considered himself, in his most tender age, as a person indispensably obliged by the laws, to make arms his profession. These sentiments were transmitted from father to son, and by the education of the youth, their natural genius for war was improved. The young Romans, being first biased by the instructions and examples of their parents, soon learned to be content with little, and keep themselves within the bounds of temperance; and being afterwards inured to all bodily exercises they insensibly accustomed themselves to bear the fatigues and hardships of a laborious and abstemious life, and became robust men. With this view, they were continually exercised in throwing darts, running, wrestling, riding, swimming, and carrying heavy burdens: and from hence came the name of *Exercitus*, which the Latines gave to an army, or body of men trained to war. When they were once enlisted, they were often tried with very long and painful marches, even in times of peace; and were employed in the labours which are not to be avoided in camps, and sieges; that is, in removing of groups;

digging ditches, making trenches, raising ramparts, and drawing lines of circumvallation and contravallation. The Romans had no pioneers, as a distinct body from the rest of the soldiers; they were every man of them as indefatigable in their labours, as formidable in the heat of action. All the historians confirm this; as Tully also expressly does, in these words, Tusculan. b. ii. *Nostri exercitus primum unde nomen habeant vides; deinde quis labor, & quantus agminis! ferre plus dimidiati mensis cibaria, ferre si quid ad usum velint, ferre vallum. Nam scutum, gladium, galeam, nostri milites, in onere non plus numerant quam humeros, lacertos, manus. Arma enim membra esse militis dicunt. Quæ quidem ita geruntur apte, ut si unus foret, abjectis oneribus, expeditis armis ut membris, pugnare possint.* If the legionaries were such, in an age when Cicero complains that the Romans were much degenerated from the virtues of their forefathers, what are we to think of those ages, which may, by way of eminence, be called the heroical ages of the Romans?

(e) Though our author does not mention that Brutus enjoyed the honour of a triumph, yet it is certain he triumphed the first of August, which was the sixth Roman month, according to Romulus's calendar, which began with the month of March: and for this reason it was at first Sextilis Mensis. Afterwards it was called Augustus, from the name of Octavius Augustus. Not that this emperor was born in this month, for he was born in September; but because the month Sextilis was distinguished from the rest, by the great events of Augustus's reign. August had thirty days, in Romulus's time; Numa, who did not love even numbers, reduced them to twenty-nine; and Julius Cæsar not only restored this day, but added another to it, and made the whole thirty-one.

SECTION XXXIII. (a) The Fasti Capitolini have given us the surnames of these two consuls, which had escaped Livy, or his copyists. The first was surnamed Rullianus; the second, besides that of Rutilus, which he already had, afterwards had that of Censorinus also, as shall be observed in its proper place. The Greek tables are therefore faulty, in giving the consul Fabius the surname of Rullus.

(b) See book iv. sect. 24.

(c) Ibid. sect. xxii. towards the end.

SECTION XXXIV. (a) Ibid. book iii. from chap. xxxiii. to iv.

(b) Ibid. book ii. chap. xxiii. and xxvii.

(c) Ibid. book iv. sect. i. to sect. vii.

(d) Ibid. book iii. chap. xxxiv.

(e) We should have observed under Mænius's dictatorship, the remarks made on our author by the fathers Catrou and Rouille, in the xviii<sup>th</sup> book of the Roman history, under 433, and 443<sup>d</sup> year of Rome according to their calculation. They observe as follows. "The Fasti Capitolini mention three successive dictators, under the year of Rome, four hundred and thirty-three. And Livy is here again defective. Being deceived by imperfect memoirs, and incorrect annals, he entirely omits two of these magistrates. That Caius Mænius was one of the dictators for this year, is unquestionable matter of fact, though the Roman historian says not one word of it. This is sufficiently evident from the Fasti Capitolini; in which we find the same Caius Mænius promoted to the dictatorship a second time, six years after this, in the four hundred and thirty-third year of Rome, in order to settle the affairs of the republic; *Rei Gerundæ causâ*. He must therefore have been invested with the supreme magistracy six years before, that he might administer justice with

absolute authority; *Quæstionum exercendarum causa*. Livy has confounded these two dictatorships, and made them but one, which he places under the year of Rome four hundred and thirty-nine. Mænius was then, according to the Fasti Capitolini, elected dictator a second time, and Rome entrusted him with the whole administration. She then promoted him *Rei Gerundæ causa*, and not in order to his making an enquiry into the crimes committed against the state; not *Quæstionum exercendarum causa*, as Livy expresses it: For that was the business of his first dictatorship, in the year of Rome four hundred and thirty-three. Thus the Latin historian is doubly mistaken; first, in making Caius Mænius to have been but once dictator; and secondly, in misplacing his first dictatorship, which was in the year four hundred and thirty three, and carrying it on to the year four hundred and thirty-nine. In both these promotions, Mænius chose Marcus Fostius Flaccinator for his general of horse: and history likewise informs us, that Luceria was taken twice by the Romans; once in the year 433, which was Mænius's first dictatorship; and again in the year 439, which was the year in which he was dictator a second time. So that the resemblance of the names and events of these two years, might probably lead Livy into this mistake and omission. Besides, he himself makes Publius Sempronius, a tribune of the people, say, in the year 443, that it was then ten years since Mænius was dictator, with an absolute power only to make enquiry into state crimes, and settle the disorders which had crept in among the nobility, *Quæstionum exercendarum causa*. Whereas, if with Livy we place this dictatorship in the year 439, it will scarce have been 443. In order therefore to make up this space of ten years, we must necessarily carry Mænius's first dictatorship, which was given him *Quæstionum exercendarum causa*, to the year 433; and place his second, with which he was invested *Rei gerundæ causa* to the year 439; as the Fasti Capitolini direct us. What Sempronius here says confirms what we have before observed, from the Fasti Capitolini, concerning the two dictatorships of Mænius; the first, in the year of Rome 433; the second, seven years after, in the year of Rome 439. Livy entirely omits the former, and mentions only the latter. But if Mænius had been but once dictator, as that historian declares, Sempronius must have been mistaken, in reckoning ten years between the year 439, and this year, which was the 443d. For want of considering, that Mænius was twice dictator, some commentators have taken much pains to explain the text of Livy, and finding it impossible to make out the ten years, which Sempronius mentions in his harangue, they have recourse to arbitrary conjectures. Indeed, it is surprising that Livy himself should not have perceived the mistake; or if he did, it is still more so, that he should not have taken care to remove the contradiction between his text, and Sempronius's speech. But after all this inadvertency is a proof of the faithfulness of the historian, in giving us the ancient records entire, and without any alteration."

(f) See book v. sect xxxi.

END OF THE NOTES ON THE FIRST VOLUME.















